

**Title 1**  
**COUNTY COUNCIL AND ELECTIONS**

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**Chapter 1.02**  
**ORDINANCE AND CODE CONSTRUCTION AND RULES**  
*(Formerly Ordinance Rules Pertaining to Number and Gender)*

**Sections:**

- 1.02.005 Code may be cited as K.C.C.
- 1.02.010 Ordinance rules.
- 1.02.020 Words and phrases - construction.
- 1.02.030 General definitions.
- 1.02.040 Titles, part headings, captions of code not law - part headings, captions of legislation not law.
- 1.02.050 Numbering new sections, chapters--corrections.
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- 1.02.070 Code as evidence of the law—rule of construction—prima facie law—new laws to be added to code.
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- 1.02.100 Statutes--repeal or amendment--saving clause presumed.
- 1.02.110 Construction of ordinances and code--internal references as including amendments.
- 1.02.120 Computation of time.
- 1.02.130 Certified mail--use.

**1.02.005 Code may be cited as "K.C.C."** The code may be cited by the abbreviation "K.C.C." (Ord. 13880 § 2, 2000).

**1.02.010 Ordinance rules.** A rule of construction for ordinances shall be that words signifying the singular number may also be applied to the plural of persons and things; words signifying the plural may be applied to the singular; and words referring to the masculine gender may be extended to the feminine gender. (Ord. 1371 § 1, 1972).

**1.02.020 Words and phrases – construction.** All words and phrases in the King County Code must be construed according to the common and approved usage of the language, but technical words and phrases and such other words and phrases as have acquired a peculiar and appropriate meaning in the law must be construed and understood according to the peculiar and appropriate meaning. (Ord. 13880 § 3, 2000).

**1.02.030 General definitions.** Unless the context clearly requires otherwise, the following definitions apply throughout the King County Code.

A. "Filed" means a document is received by the county agency or office required by law to receive the document during the agency or office's regular business hours. Delivery to the incorrect county agency or office does not constitute filing of the document.

B. "May" is permissive. "Shall" and "will" are mandatory. "May not" and "shall not" are prohibitive.

C. "Month" means a calendar month.

D. "Officer" means a person authorized by law to discharge the duties of the officer.

E. "Person" includes an individual, partnership, association, corporation, firm, institution or other entity, whether or not operated for profit, and includes governmental units of county, the state of Washington or the United States. (Ord. 13880 § 4, 2000).

**1.02.040 Titles, part headings, captions of code not law – part headings, captions of legislation not law.**

A. Titles, part headings and captions of titles, chapters and sections used in this code are not any part of the law unless a contrary intent is clearly expressed.

B. Part headings and captions of sections used in legislation are not any part of the law unless a contrary intent is clearly expressed. (Ord. 13880 § 5, 2000).

**1.02.050 Numbering new sections, chapters--corrections.** The clerk of the council shall number new chapters or sections added to the code as the result of enacted ordinances in harmony with the King County Code's general numbering. The sections must bear the respective numbers as are assigned by the clerk. This section does not prohibit or prevent the correction by the clerk of the number of a section of the code found clearly to be incorrectly numbered or incorrectly correlated with other sections as to number. (Ord. 13880 § 6, 2000).

**1.02.060 Expansion of numbering system--decimal factor.** Under the King County Code's numbering system, the section factor of the section number must be treated as a decimal figure. In codifying, if new sections must be inserted between sections that are already consecutively numbered, the clerk shall create the proper number for the new section by the insertion of an additional digit at the terminal end of the number of the section immediately preceding the location at which the new section is to be inserted. (Ord. 13880 § 7, 2000).

**1.02.070 Code as evidence of the law—rule of construction—prima facie law—new laws to be added to code.**

A. The contents of the King County Code establish the laws of this county of a permanent or general nature.

B. The contents of the King County Code establish prima facie the laws of this county of a permanent or general nature. If there is an omission or an inconsistency between the code and an ordinance, the ordinance controls.

C. All laws of a permanent or general nature must be incorporated into and become a part of the King County Code. Failure to codify an ordinance does not affect the applicability of the ordinance as law. (Ord. 13880 § 8, 2000).

**1.02.080 Code to be liberally construed.** The King County Code must be liberally construed and may not be limited by a rule of strict construction. (Ord. 13880 § 9, 2000).

**1.02.090 Construction of multiple amendments to ordinances or code—publication--decodification of repealed sections.**

A. If two or more ordinances amending the same section of an ordinance or of the code are enacted, each amendment without reference to the others, each ordinance must be given effect to the extent that the amendments do not conflict in purpose. Otherwise, the ordinance last enacted controls. If a section of an ordinance or the code is amended after the enactment of the section's repeal, the subsequent amendment is void and the section is repealed in accordance with the original repeal's enactment.

B. If a section of an ordinance or of the King County Code is amended without reference to another amendment of the same section, the clerk of the council, in consultation with the chair of the council and legal counsel of the council, may publish the section in the code with all amendments incorporated in the section. The publication of the section may occur only if the clerk determines that the amendments do not conflict in purpose or effect. A section published under this section 10B of this ordinance constitutes prima facie evidence of the law but may not be construed as changing the meaning of the law.

The clerk, in consultation with the chair of the council and legal counsel of the council, may decodify a section of the code that was repealed without reference to an amendment to the section. The clerk may decodify the section only if the chair of the council and legal counsel of the council determine that the decodification does not conflict with the purpose of the amendment.

A decision of the clerk, in consultation with the chair of the council and the council's legal counsel, to incorporate amendments in the same section or to decodify a section that was both repealed and amended must be clearly noted in the code. If a conflict arises in the interpretation of a section published or decodified under this section, the ordinance sections control.

C. If it is determined under section K.C.C. 1.02.090B that a section should not be published in the code with all amendments incorporated in the section, the clerk shall publish each version of the section in the code. If it is determined under section K.C.C. 1.02.090B that a section should not be decodified, the clerk shall publish the section as amended, noting also in the code the section's repeal. (Ord. 13880 § 10, 2000).

**1.02.100 Statutes--repeal or amendment--saving clause presumed.** Neither an offense committed nor a penalty or forfeiture incurred previous to the time that a provision of an ordinance or the code is repealed, whether the repeal be express or implied, is affected by the repeal unless a contrary intention is expressly declared in the repealing ordinance. Prosecution for an offense, or for the recovery of a penalty or forfeiture, pending at the time a provision of an ordinance or the code is repealed, whether the repeal be express or implied, is not affected by the repeal but must proceed in all respects as if the provision had not been repealed unless a contrary intention is expressly declared in the repealing ordinance. If a criminal or penal ordinance or code is amended or repealed, an offense committed or penalty or forfeiture incurred while the criminal or penal ordinance or code was in force must be punished or enforced as if the criminal or penal ordinance or code were in force, notwithstanding the amendment or repeal, unless a contrary intention is expressly declared in the amendatory or repealing ordinance. The amendatory or repealing ordinance must be so construed as to save all criminal and penal proceedings, and proceedings to recover forfeitures, pending at the time of the amendatory or repealing ordinance's enactment unless a contrary intention is expressly declared in the amendatory or repealing ordinance. (Ord. 13880 § 11, 2000).

**1.02.110 Construction of ordinances and code--internal references as including amendments.** If an ordinance or code section refers to another ordinance or code section, the reference includes amendments to the referenced ordinance or code section unless a contrary intent is clearly expressed. (Ord. 13880 § 12, 2000).

**1.02.120 Computation of time.** The time within which an act is to be done, as provided in this code, is computed by excluding the first day and including the last unless the last day is a holiday, Saturday or Sunday, and then it is also excluded. (Ord. 13880 § 13, 2000).

**1.02.130 Certified mail--use.** If the use of "registered" mail is authorized by the King County Code, "certified" mail with return receipt requested may be used. (Ord. 13880 § 14, 2000).

### Chapter 1.03 CODIFICATION AND REVISION

#### Sections:

- 1.03.010 Compilation of laws by clerk.
- 1.03.020 Codification and revision of laws--scope of revision.
- 1.03.030 Omission of certain parts of ordinances.
- 1.03.040 Code index.
- 1.03.050 Historical records.
- 1.03.060 Improvement of code.
- 1.03.070 Examination of code—recommendations to council.
- 1.03.080 Drafting assistance.
- 1.03.090 Opinions as to validity or constitutionality.
- 1.03.100 Certification--official code--prima facie evidence.
- 1.03.110 Amendment, repeal to include code numbers--assignment of code numbers.
- 1.03.120 Ordinances and motions to be in gender-neutral terms--exception--effect of noncompliance.

**1.03.010 Compilation of laws by clerk.** The clerk of the council shall compile the ordinances of the county as enacted by the council into a code or compilation of laws by title, chapter and section, without substantive change or alteration of purpose or intent. (Ord. 13880 § 16, 2000).

**1.03.020 Codification and revision of laws--scope of revision.** The clerk of the council shall:

A. Codify for consolidation into the King County Code all laws of a permanent or general nature enacted by the council and assign permanent numbers as provided by law to all new titles, chapters and sections added to the code;

B. Edit and revise the laws for the consolidation, to the extent deemed necessary or desirable by the clerk and without changing the meaning of the law, in the following respects only:

1. Make capitalization uniform with that followed generally in the code;
2. Make chapter or section division and subdivision designations uniform with that followed in the code;
3. Substitute for the term "this ordinance," if necessary, the term "section," "part," "code," "chapter" or "title" or reference to specific section or chapter numbers, as required;
4. Substitute for reference to a section of an ordinance the proper code section number reference;
5. Substitute for "as provided in the preceding section" and other phrases of similar import the proper code section number references;
6. Substitute the proper calendar date for "effective date of this ordinance," "date of enactment of this ordinance" and other phrases of similar import;
7. Strike out figures if merely a repetition of written words and substitute, if deemed by the clerk advisable for uniformity, written words for figures;
8. Rearrange misplaced statutory material, incorporate omitted statutory material as well as correct manifest errors in spelling and punctuation, manifest clerical or typographical errors or errors by way of additions or omissions. However, if words or clauses are inserted, the words or clauses must be enclosed in brackets and the clerk may not make a correction that changes the intent or meaning of a sentence, section or ordinance;
9. Correct manifest errors in references by chapter or section number to other laws;
10. Correct manifest errors or omissions in numbering or renumbering sections of the code;
11. Divide long sections of an ordinance into two or more sections of the code, consolidate two or more sections of an ordinance into one section of the code and rearrange the order of sections to conform to such a logical arrangement of subject matter as might most generally be followed in the code if to do so will not change the meaning or effect of the sections;
12. Change the wording of chapter and section captions, if any, and provide captions to new chapters and sections; and
13. Strike manifestly obsolete provisions; and

C. Create new code titles, chapters and sections of the King County Code, or otherwise revise the title, chapter and sectional organization of the code, all as might be required to effectuate the orderly and logical arrangement of the statutes, under Section 880 of the King County Charter. (Ord. 13880 § 17, 2000).

**1.03.030 Omission of certain parts of ordinances.** The clerk of the council may omit from the code all titles to ordinances, enacting and repealing clauses, statements of facts, findings of fact, preambles, effective dates, declarations of emergency and severability, validity and construction sections unless, in a particular instance, it might be necessary to codify that portion of the ordinance to preserve the full intent of the law. The omission of validity or construction sections is not intended to, nor shall it change or be considered as changing, the effect to be given to the ordinance in construing the ordinance of which the validity and construction sections were a part. (Ord. 13880 § 18, 2000).

**1.03.040 Code index.** The clerk of the council shall compile and maintain a comprehensive index to the King County Code and prepare for publication supplements to the index. (Ord. 13880 § 19, 2000).

**1.03.050 Historical records.** The clerk of the council shall prepare and maintain full historical records showing the enactment, amendment, revision, supersession and repeal of the various sections of the code. (Ord. 13880 § 20, 2000).

**1.03.060 Improvement of code.** The clerk of the council may make written recommendations to the council concerning deficiencies, conflicts or obsolete provisions in and need for reorganization or revision of the King County Code and may prepare for submission to the council legislation for the

correction or removal of the deficiencies, conflicts or obsolete provisions or to otherwise improve the form or substance of the law of this county as the public interest or the administration of the subject requires. (Ord. 13880 § 21, 2000).

**1.03.070 Examination of code—recommendations to council.** The clerk of the council also shall examine the code and submit to the council proposals for enactment of the several titles, chapters and sections of the King County Code to the end that, as expeditiously as possible, the code and each part of the code constitutes conclusive, rather than prima facie, evidence of the law. A proposal made under this section must be accompanied by explanatory matter. Proposals or recommendations made under this section must be submitted to the council when appropriate. (Ord. 13880 § 22, 2000).

**1.03.080 Drafting assistance.** The clerk of the council shall be in charge of and shall provide drafting assistance for the use and benefit of the council, councilmembers, the council's committees and other county agencies. The assistance must be confidential and nonpartisan and a member of the clerk's staff may not advocate for or against any council measure. (Ord. 13880 § 23, 2000).

**1.03.090 Opinions as to validity or constitutionality.** The clerk, or any member of the clerk's staff, may not furnish an opinion as to the validity or constitutionality of proposed or enacted legislation. (Ord. 13880 § 24, 2000).

**1.03.100 Certification--official code--prima facie evidence.** The King County Code containing the certificate of the clerk of the council and a supplement or addition to or reprint edition of the code that contains the certificate of the clerk is official and is prima facie evidence of the laws contained in the code. (Ord. 13880 § 25, 2000).

**1.03.110 Amendment, repeal to include code numbers--assignment of code numbers.** The council in amending or repealing laws shall include in the ordinance references to the code numbers of the law affected. The clerk of the council shall assign code numbers to the permanent or general laws enacted by the council. (Ord. 13880 § 26, 2000).

**1.03.120 Ordinances and motions to be in gender-neutral terms--exception--effect of noncompliance.**

A. An ordinance or motion enacted or amended by the council must be written in gender-neutral terms unless a specification of gender is intended.

B. An ordinance or motion is not invalid because it does not comply with this section. (Ord. 13880 § 27, 2000).

## **Chapter 1.04 CANDIDATES FOR ELECTION**

### **Sections:**

- 1.04.010 Statement of contributions and expenditures.
- 1.04.020 Disqualification.

**1.04.010 Statement of contributions and expenditures.** Each candidate for nomination or election to an elective office in King County shall, in compliance with the provisions of Article 6, Section 690 of the King County Charter, execute and file a statement of campaign contributions and expenditures on the form or forms required by the Public Disclosure Commission pursuant to chapter 42.17 of the Revised Code of Washington. (Ord. 4955 § 1, 1980; Ord. 287 § 1, 1970).

**1.04.020 Disqualification.** A willful violation of Section 1.04.010 of this chapter and of Section 690 of the King County Charter shall disqualify the candidate from holding county elective office. (Ord. 287 § 2, 1970).

### **CROSS REFERENCE:**

**Chapter 1.05**  
**LIMITS ON CAMPAIGN CONTRIBUTIONS**

**Sections:**

- 1.05.010 Findings of fact.
- 1.05.020 Definitions.
- 1.05.030 Application.
- 1.05.040 Mandatory limitations on contributions.
- 1.05.105 Adjustment of dollar amounts in chapter - establishment by records and elections division.
- 1.05.115 Rules.
- 1.05.120 Penalties.
- 1.05.140 Severability.

**1.05.010 Findings of fact.**

A. The county finds that, in the interest of the public health, safety and welfare, it is necessary to safeguard the integrity of the political process. Therefore, the county election process and county government should be protected from undue influence by individuals and groups making large contributions to the election campaigns of candidates for executive, county council, sheriff, and assessor.

B. The county finds that, in the interest of the public health, safety and welfare, it is necessary to safeguard the confidence in the political process. Therefore, the county election process and county government should be protected from even the appearance of undue influence by individuals or groups contributing to candidates for executive, county council, sheriff, and assessor. The confidence of the public in a fair and democratic election process is vital. In the high cost of election campaigning, there can be the problem of improper influence, real or perceived, exercised by campaign contributors over elected officials. It is the policy of this county to foster broad-based citizen involvement in financing election campaigns. The county further finds that public confidence can also be enhanced by broadening public disclosure requirements with respect to the transfer and use of surplus campaign funds.

C. The county therefore finds that limitations on contributions of money, services and materials by individuals or groups to county election campaigns should be imposed by law to protect the public health, safety, welfare and the integrity of the political process. These limitations, however, should be reasonable, so as not to discourage personal expression.

D. The county, therefore, finds it is in the public interest to encourage the widest participation of the public in the electoral process, to reduce the dependence of candidates on large contributions and to increase public knowledge of the candidates and of election issues. The county finds that campaign expenditure limitations are in the best interest of the public. Recognizing that public matching funds for campaign purposes are necessary for voluntary expenditure limitations to be successful and voluntary programs are the only limitations constitutionally permissible, the council finds a program of public matching funds should be established. The council recognizes, however, that effective December 3, 1992, Washington Initiative 134 passed by the voters at the November 3, 1992 general election prohibits the use of public funds to finance political campaigns for state or local office. (Ord. 12662 § 1, 1997: Ord. 11348 § 1, 1994).

**1.05.020 Definitions.** For purposes of this chapter the following definitions shall apply:

A. "Candidate" means any individual who seeks election to a public office set out in K.C.C. 1.05.030 whether or not successfully. An individual shall be deemed to be seeking election when he or she first: receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for office, announces publicly or files for office, whichever occurs first.

B. "Contribution" means a loan, loan guarantee, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services, for less than full consideration. "Contribution" does not include interest on moneys deposited in a political committee's account, ordinary home hospitality, volunteer in-kind labor or incidental expenses not in excess of twenty-five dollars personally paid for by a volunteer campaign worker. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the "contribution". Sums paid for tickets to fundraising events such as dinners and parties are



contributions; however, the amount of any such contribution may be reduced for the purpose of complying

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with the reporting requirements of this chapter by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution.

C. "Election cycle" means the combination of the general or special election and the primary election for the office in question and begins on the date an individual becomes a candidate for such office and ends on the date that candidate files his or her final report pursuant to RCW 42.17.080(2).

D. "Expenditure" means a payment, contribution, subscription, distribution, loan advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. "Expenditure" also includes a promise to pay; and a payment or transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For purposes of this chapter, expenditures other than money or its equivalent shall be deemed to have a monetary value equal to the fair market value of the expenditure. "Expenditure" shall not include:

1. The partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported; or

2. The value of in-kind labor; or

3. Fines paid as a result of any penalties imposed on a candidate for violating this chapter.

E. "Fair advertising" means any publication, literature or media advertising, which bears the clear and conspicuous identification of the sponsoring candidate's name.

F. "In-kind labor" means services provided by a person who volunteers all or a portion of his/her time to a candidate's election campaign, and who is not paid by any person for such services.

G. "Independent expenditure" means an expenditure on behalf of, or opposing the election of, any candidate, when such expenditure is made independently of the candidate, his/her political committee, or agent, and when such expenditure is made without the prior consent, or the collusion, or the cooperation, of the candidate or his/her agent or political committee.

H. "Own resources" means a candidate's personal funds or property; provided, however, that it shall not include:

1. A candidate's surplus campaign funds as defined in RCW 42.17.020 from a prior campaign for an elected position, except for such surplus funds as have been transferred to a candidate's personal account pursuant to RCW 42.17.095(2).

2. Excess campaign funds as defined in 2 U.S.C., Section 439(a) and 11 CFR, Section 113.2, or

3. Contributions received for a campaign for any other office.

I. "Person" means any individual, association, corporation, candidate, committee, political committee, political party, partnership or other entity.

J. "Political committee" means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or in opposition to, any candidate and which has also filed as a political committee pursuant to RCW 42.17.

K. "Political party" shall mean a major political party or a new or minor party which is established pursuant to RCW 29.42.

L. "Resident" means an individual natural person whose domicile is within the boundaries of King County. (Ord. 11348 § 2, 1994).

**1.05.030 Application.** These limits shall apply only to candidates in any primary, general or special election for the offices of King County executive, council, sheriff, and assessor. (Ord. 12662 § 1, 1997: Ord. 11348 § 3, 1994).

### **1.05.040 Mandatory limitations on contributions.**

A. No person other than a political committee shall make contributions during the election cycle totaling more than one thousand two hundred dollars in the aggregate to any candidate for executive, county council, sheriff, or assessor, nor shall any political committee make contributions during the

election cycle totaling more than one thousand two hundred dollars in the aggregate to any candidate for executive, county council, sheriff, or assessor.

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B. No candidate for executive, county council, sheriff, or assessor shall accept or receive during the election cycle campaign contributions totaling more than one thousand two hundred dollars in the aggregate from any person other than a political committee, nor shall any such candidate accept or receive during the election cycle campaign contributions totaling more than one thousand two hundred dollars in the aggregate from any political committee.

C. The limitations in this section shall not apply to:

1. A candidate's contributions of his/her own resources to his/her own campaign; the limitations imposed by this section shall apply to the contributions of all others; and
2. Independent expenditures as defined by this chapter; and
3. The value of in-kind labor; and
4. Contributions to or expenditures from public office funds made consistent with the provisions of RCW 42.17.243.

D. Surplus campaign funds, as defined in RCW 42.17.030, from a candidate's prior campaign and contributions received by a candidate in connection with a campaign for another office may be used by that candidate for the candidate's current campaign only to the extent that such funds are derived from contributions that were within the dollar limitations imposed by this chapter. If such funds are from a campaign not governed by this chapter, a candidate may use only so much of each contribution previously received as would have been allowable as a contribution under this chapter if it had applied to that campaign. The source of a candidate's surplus campaign funds shall be determined to be derived from the most recent contributions received by such candidate or that candidate's political committee which in total equal the amount of the surplus campaign funds. A candidate must file a statement with the records and elections division and the Public Disclosure Commission which identifies any funds used pursuant to this section. The statement shall include the following information for each amount transferred: The original contributor, original date of contribution, amount originally contributed, and the portion of each contribution transferred to the current campaign. (Ord. 13932 § 1, 2000: Ord. 12662 § 3, 1997: Ord. 11348 § 4, 1994).

**1.05.105 Adjustment of dollar amounts in chapter - establishment by records and elections division.** At the beginning of each even-numbered calendar year, the records and elections division shall increase or decrease all dollar amounts in this chapter based on changes in economic conditions as reflected in the inflationary index used by the Washington state Public Disclosure Commission under RCW 42.17.370. The new dollar amounts established by the records and elections division under this section shall be rounded off by the division to amounts as judged most convenient for public understanding and so as to be within ten percent of the target amount equal to the base amount provided in this chapter multiplied by the increase in the inflationary index since the effective date of this ordinance. (Ord. 13932 § 3, 2000).

**1.05.115 Rules.** The records and elections division shall adopt rules consistent with this chapter. Until new rules are adopted, the rules adopted by Ordinance 10742, as amended by Ordinance 11348, remain in effect. (Ord. 13932 § 2, 2000: Ord. 12662 § 4, 1997: Ord. 11348 § 6, 1994).

**1.05.120 Penalties.** The violation or failure to comply with the provisions of this chapter shall constitute a civil violation for which a monetary fine of up to one thousand dollars shall be assessed. Each violation shall be a separate violation and shall be subject to the fine. An action seeking to establish the fact of a violation and imposition of a monetary fine under this section shall be commenced with the assistance of the county prosecuting attorney. (Ord. 11348 § 5, 1994).

**1.05.140 Severability.** Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 11348 § 9, 1994).

**Chapter 1.06**  
**POLITICAL CONTRIBUTIONS TO KING COUNTY**  
**ELECTIONS BY CHARITABLE ORGANIZATIONS**

**Sections:**

- 1.06.010 Definitions.
- 1.06.020 Contributions covered.
- 1.06.030 Disclosure required.
- 1.06.040 Contribution reporting.
- 1.06.050 Authorizations retained.
- 1.06.060 Violation.
- 1.06.070 Severability.

**1.06.010 Definitions.**

A. "Charitable organization" means any entity required to register as a charitable organization under RCW 19.09.065 except those specifically excluded by this section. For purpose of this section "charitable organization" shall exclude any entity which meets all of the following requirements:

1. The organization has formed a political committee subject to RCW 42.17;
2. The political committee has met all filing requirements of RCW 42.17; and
3. The charitable organization uses a clearly identified political committee as the exclusive sponsor for any solicitation for funds for campaign contributions.

B. "Contribution" means the loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value for less than full consideration, excluding unpaid and voluntary personal and professional services. For purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of the tickets, and only the excess over the actual cost of the consumables shall be deemed a contribution.

C. "Entity" means an individual, organization, group, association, partnership, corporation, or agency, or any combination thereof.

D. "General public" or "public" means any individual residing in Washington state without a membership or other official relationship with a charitable organization prior to solicitation by the charitable organization.

E. "King County elected office and ballot measures" means the offices of King County executive, King County council, King County assessor, King County sheriff, King County prosecuting attorney, King County superior court or King County district court judge and any proposition or question submitted to voters of King County.

F. "Solicitation" shall be as defined in K.C.C. 6.76.010H. (Ord. 12662 § 5, 1997: Ord. 8627 § 1, 1988).

**1.06.020 Contributions covered.** All charitable organizations shall comply with disclosure provisions of Section 1.06.030 prior to making a contribution for purposes of supporting, assisting, or opposing any campaign for any King County elected office or ballot measure. Contributions made for such purposes include contributions to any candidate, campaign committee, political committee, political party, or organization. (Ord. 8627 § 2, 1988).

**1.06.030 Disclosure required.** Before any charitable organization may make a contribution or spend money collected by the organization for political purposes for the elected offices covered in Section

1.06.020, it shall file with the manager of the King County division of records and elections an affidavit signed under oath by an authorized official of the entity containing or establishing the following:

A. All contributions from the general public to be used for part or all of the campaign contribution were authorized by the donors to be used for campaign contributions for King County elected offices.

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B. A written authorization that the money may be used for campaign contributions by each donor is on file at the charitable organization's primary office.

C. The contributions are kept in a separate segregated political fund.

D. A list of the names and addresses of all donors and the amounts donated. (Ord. 8627 § 3, 1988).

**1.06.040 Contribution reporting.** Within five business days of making any contribution covered in Section 1.06.020, the organization shall file with the manager of the King County division of records and elections an affidavit under oath stating the amount of the contributions given and the recipients. (Ord. 8627 § 4, 1988).

**1.06.050 Authorizations retained.** The executed authorizations required in Section 1.06.030 shall be kept on file available for public inspection for a minimum of four years from the date of the election in which the funds were used. (Ord. 8627 § 5, 1988).

**1.06.060 Violation.** Any person who violates any provision of this chapter is guilty of a misdemeanor punishable by imprisonment of up to a maximum term of 90 days or a fine in an amount of not more than five hundred dollars per violation or both such imprisonment and fine. (Ord. 8627 § 6, 1988).

**1.06.070 Severability.** Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 8627 § 7, 1988).

## **Chapter 1.07 LOBBYIST DISCLOSURE**

### **Sections:**

- 1.07.010 Policy.
- 1.07.020 Definitions.
- 1.07.030 Registration of lobbyists.
- 1.07.040 Exemptions -- citizen lobbyists.
- 1.07.050 Exemptions -- technical experts.
- 1.07.060 Exemptions -- governmental officials, officers and employees.
- 1.07.070 Exemptions -- media persons.
- 1.07.080 Reporting by lobbyists.
- 1.07.090 Reports by employers of registered lobbyists and other persons.
- 1.07.100 Professional grass roots lobbying campaign.
- 1.07.110 Employment of unregistered persons.
- 1.07.120 Lobbyist duties and restrictions.
- 1.07.130 Administrative duties.
- 1.07.140 Complaints and investigations -- penalties.
- 1.07.150 Appeals.

**1.07.010 Policy.** It is the policy of King County to encourage the full participation and expression of interest of all of the people of King County in the legislative process. The provisions of this chapter shall be liberally construed to promote full disclosure of lobbying in order to protect the openness and integrity of the legislative process. (Ord. 13320 § 1, 1998).

**1.07.020 Definitions.** For the purposes of this chapter, certain terms are defined as follows:

A. "Compensation" means anything of economic value, however designated, which is paid, granted or transferred, or is to be paid, granted or transferred for, or in consideration of, personal services to any person, except that minor incidental personal expenses, such as mileage, parking, meals, photocopying, telephone and facsimiles for persons not employed or retained as lobbyists are not included in "compensation."

B. "Council staff" means any person employed in the legislative branch of King County government.

C. "County employee" means any individual who is appointed as an employee by the appointing authority of a county department, agency or office. The term "county employee" also includes any person elected at a general or special election to any county elected office and any person appointed to fill a vacancy in any such office. The term "county employee" also includes members of county boards, commissions, committees or other multimember county bodies established by ordinance or motion.

D. "Department" means the department of executive services.

E. "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, gift, contract, promise or agreement to make an expenditure. The term "expenditure" also includes a promise to pay, a payment or a transfer of anything of value in exchange for goods, services, property, facilities or anything of value. For the purposes of this chapter, agreements to make expenditures, contracts and promises to pay may be reported as estimated obligations until actual payment is made.

F. "Gift" means the same as the definition of "gift" in the employee code of ethics, K.C.C. 3.04.017G.

G. "Legislation" means any ordinance or motion that is proposed to be or is introduced before the council under the provisions of Sections 230 and 240 of the county charter or any other matter that may be the subject of action by the council or any of its committees and any ordinance or motion that, having been adopted by the council, is required to be presented for approval or veto by the executive provided that the following shall not be considered legislation for the purposes of this chapter:

1. Ordinances introduced on matters considered to be quasi-judicial under state law;
2. Motions introduced to confirm or reject appointments by the executive; and
3. Motions introduced to exercise the council's power of appointment or removal.

H. "Lobby" and "lobbying" each mean attempting to influence, by communicating with councilmembers or council staff, the metropolitan King County council to develop, adopt, modify or reject legislation, or attempting to influence, by communicating with the executive or executive staff, the King County executive to approve or veto adopted legislation, or part thereof, presented to him or her.

For purposes of this chapter the terms "lobby" and "lobbying" do not include any of the following:

1. The act of communicating with the members of an association or organization by that same association or organization;
2. Communications or other actions made by a person related to a quasi-judicial proceeding before the council;
3. Communications or actions made by a person related to proposed motions to confirm or reject appointments by the executive;
4. Communications or actions made by a person related to proposed motions to exercise the council's power of appointment or removal;
5. Communications or other actions related to proposed employment actions concerning legislative branch employees;
6. Communications or other actions by any county employee acting within the scope of his or her employment with the county;
7. Communications or other actions by representatives of labor organizations related to existing or proposed collective bargaining agreement(s) with the county or other legislation which could affect specific existing or proposed collective bargaining agreements; or

8. Communications or other actions by a person with the executive or executive staff regarding legislation at any time prior to its adoption by the council.

I. "Lobbyist" means any person who lobbies for compensation.

J. "Lobbyist's employer" means the person or persons by whom a lobbyist is employed or otherwise compensated for acting as a lobbyist. For purposes of this chapter, the term "lobbyist's employer" includes, but is not limited to:

1. Every person who engages or utilizes the services of any other person to lobby, upon an agreement express or implied, for compensation or for other consideration; and

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2. The officers and employees of such person and/or any third party who is engaged, employed or utilized by such person to lobby.

K. "Month" is a calendar month.

L. "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

M. "Polling" means contacting individuals or groups to determine or change their positions using telephone interviews, face to face interviews or focus groups.

N. "Public relations" means any activity, and research to support such activity, that is intended to inform, educate, persuade or reinforce public opinion including, but not limited to, advertising, press conferences, editorial boards and speakers bureaus.

O. "Quarter" is a calendar quarter, i.e., January through March, April through June, July through September, and October through December.

P. "Representatives of labor organizations" means any employee or designated spokesperson of a bargaining representative that represents county employees. (Ord. 14442 § 1, 2002: Ord. 13320 § 2, 1998).

#### **1.07.030 Registration of lobbyists.**

A. A lobbyist shall file a lobbyist registration statement for each of his or her lobbyist's employers. The lobbyist registration statement shall be filed with the department of executive services within seven days after being employed or otherwise retained as a lobbyist. The lobbyist registration statement shall show, in such detail as shall be prescribed by rule:

1. His or her name, permanent business address and, if the permanent business address is not in King County, any temporary address in King County;

2. The name, address and occupation or business of the lobbyist's employer;

3. The duration of his or her employment;

4. His or her compensation for lobbying, how much he or she is to be paid for expenses and what expenses are to be reimbursed;

5. Whether the person from whom he or she receives that compensation employs him or her solely as a lobbyist or whether he or she is a regular employee performing services for his or her employer which include, but are not limited to, lobbying;

6. The general subject or subjects of his or her lobbying interest;

7. A written authorization from each of the lobbyist's employers confirming such employment;

8. The name and address of the person who will have custody of the accounts, bills, receipts, books, papers and documents required to be kept by K.C.C. 1.07.080; and

9. If the lobbyist's employer is an entity, including, but not limited to, a business or trade association whose members include businesses, groups, associations, or organizations or which as a representative entity undertakes lobbying activities for businesses, groups, associations, or organizations, the name and address of each member of such entity, or person represented by such entity, whose fees, dues, payments or other consideration paid to such entity during either of the prior two years have exceeded five hundred dollars or who is obligated to or has agreed to pay fees, dues, payments or other consideration exceeding five hundred dollars to such entity during the current year.

B. Whenever a termination or significant modification of the lobbyist's employment occurs, the lobbyist shall furnish full information regarding the same within seven calendar days of such termination or modification by filing with the department an amended registration statement. (Ord. 14442 § 2, 2002: Ord. 13320 § 3, 1998).

**1.07.040 Exemptions -- citizen lobbyists.** Persons who lobby without compensation or with compensation or other consideration limited to reimbursement for minor incidental personal expenses, such as mileage, parking, meals, photocopying, telephone, and facsimiles, for acting as a lobbyist shall be considered citizen lobbyists and shall be exempt from registration. The exemption contained in this section is intended to permit and encourage citizens of the county to lobby any councilmember or the executive without incurring any registration or reporting obligation. Any person exempt under this section may at his or her option register and report under this ordinance. (Ord. 13320 § 4, 1998).

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**1.7.050 Exemptions -- technical experts.** It is understood that businesses may employ a specific person or persons as lobbyists. In addition, other employees of a business, or contracted experts, may have occasion to meet on an irregular basis with councilmembers or the executive or appear before public sessions of the council or its committees to provide information or expert testimony. Such other employees or contracted experts shall not be required to register or report under this chapter provided they restrict their lobbying activities to no more than six days or parts thereof during any quarter, and provided further that appearing before public sessions of the council and committees of the council are not counted towards the six days. Any person exempt under this section may at his or her option register and report under this chapter. (Ord. 13320 § 5, 1998).

**1.07.060 Exemptions -- governmental officials, officers and employees.** Except for a person or persons specifically employed or otherwise retained by a government agency to lobby, elected officials, officers and employees of any local, state or federal government agency acting within the scope of their representation of or employment with such agency are not required to register or report under this chapter. (Ord. 13320 § 6, 1998).

**1.07.070 Exemptions -- media persons.** News or feature reporting activities and editorial commend by working members of the press, radio or television and the publication or dissemination thereof by a newspaper, book publisher, regularly published periodical, radio station or television station shall be exempt from registration and reporting under this chapter. Any person exempt under this section may at his or her option register and report under this chapter. (Ord. 13320 § 7, 1998).

**1.07.080 Reporting by lobbyists.**

A. Each lobbyist shall file a report with the department of his or her activities for each employer. Such reports must be signed by the lobbyist. The reports shall be made in the form and manner prescribed by the department. The department shall design the reporting forms to match as closely as reasonably possible the forms required for lobbyist reporting to the Washington state Public Disclosure Commission. The reports shall be filed within fifteen calendar days after the last day of the calendar quarter. The due dates for such reports are January 15, April 15, July 15 and October 15. The January report shall cover the preceding calendar year; the April, July and October reports shall each cover the preceding calendar quarter.

B. Each periodic report shall contain:

1. The totals of all expenditures for lobbying activities made or incurred by such lobbyist. The totals of all expenditures for lobbying activities made or incurred on behalf of such lobbyist by the lobbyist's employer or any other person with the lobbyist's knowledge. Such total expenditures for lobbying activities shall include the following: food and refreshments, entertainment and other expenses or services. The report shall specify the amount of the expenditure, the person to whom the amount was paid and a brief description of the activity. Notwithstanding the preceding, lobbyists are not required to report any expenses incurred for their personal travel or meals, telephone and any office expenses including rent and salaries and wages paid for staff and secretarial assistance;

2. The total compensation paid to the lobbyist for lobbying purposes during the reporting period by the lobbyist employer;

3. The subject matter which the lobbyist has been supporting or opposing during the reporting period, including specific ordinances and motions;

4. Other information relevant to lobbying activities as shall be prescribed by rule; and

5. Information regarding any termination or significant modification of the lobbyist's employment.

C. Information supporting any activities which are required to be reported under this section is subject to audit by the department. However, the person subject to audit is not required to disclose information which is covered by the attorney-client privilege. (Ord. 13320 § 8, 1998).

**1.07.090 Reports by employers of registered lobbyists and other persons.**

A. Every employer of a lobbyist registered under this chapter shall report on such employment either by:

1. Verifying, by signing along with the lobbyist, the January 15 report required to be filed by K.C.C. 1.07.080; or

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2. Filing with the department on or before the last day of February of each year a statement disclosing for the preceding calendar year the following information:

a. the total expenditures made by the reporting person for lobbying purposes, whether through or on behalf of a registered lobbyist or otherwise;

b. the name and address of each lobbyist, registered under this chapter, employed by the reporting person and the total expenditures made by such person for each such lobbyist for lobbying purposes; and

c. such other information as shall be prescribed by rule.

B. Each employer shall obtain and preserve all accounts, bills, receipts, books, papers and documents necessary to substantiate the financial reports required to be made under this chapter for a period of at least five years from the date of filing of the statement containing such items. These accounts, bills, receipts, books, papers and documents shall be made available for inspection by the department during regular business hours.

C. Information supporting any activities which are required to be reported under this section is subject to audit by the department. However, the person subject to audit is not required to disclose information which is covered by the attorney-client privilege. (Ord. 13320 § 9, 1998).

**1.07.100 Professional grass roots lobbying campaign.**

A. Any person who has made expenditures exceeding ten thousand dollars in the aggregate within any consecutive twelve month period or who knows he or she will expend ten thousand dollars within any consecutive twelve month period presenting a program addressed to the public which is specifically intended, designed or calculated to influence legislation that may be the subject of action by the council shall be required to register and report, as provided in subsection B of this section, as a sponsor of a professional grass roots lobbying campaign.

B. Within seven days after becoming a sponsor of a professional grass roots lobbying campaign, the sponsor shall register by filing with the department a registration statement, as shall be prescribed by rule, showing:

1. The sponsor's name, address and business or occupation, and, if the sponsor is not an individual, the names, addresses and titles of the controlling persons responsible for managing the sponsor's affairs;

2. The name, address and business or occupation of all persons organizing and managing the grass roots lobbying campaign, or hired to assist the campaign, and the terms of compensation for all such persons;

3. The name and address of each person contributing services or money with a value of one hundred dollars or more to the grass roots lobbying campaign;

4. The purpose of the grass roots lobbying campaign, including the specific legislation that is the subject matter of the effort; and

5. The total of all expenditures made or incurred to date on behalf of the grass roots lobbying campaign, which totals shall be segregated according to financial category, including, but not limited to, the following: advertising segregated by media; telemarketing or polling; public relations; entertainment, including food and refreshments; office expenses, including rent, salaries and wages paid for staff and secretarial assistance, or the proportionate amount thereof paid or incurred for lobbying activities; consultants; printing and mailing expenses; and other expenditures as shall be prescribed by rule.

C. Every sponsor who has registered under this section shall file quarterly reports with the department. The reports shall be filed for each calendar quarter and shall be due within fifteen days after the last day of the quarter covered by the report. The due dates for such reports are January 15, April 15,



July 15 and October 15. The reports shall update the information contained in the sponsor's registration statement and in prior reports and shall show totals of expenditures made during the quarter, in the same manner as provided for in the registration statement.

D. Each sponsor of a grass roots lobbying campaign shall obtain and preserve all accounts, bills, receipts, books, papers and documents necessary to substantiate the financial reports required to be made under this section for a period of at least five years from the date of filing of the statement containing such items. These accounts, bills, receipts, books, papers and documents shall be made available for inspection by the department during regular business hours. Should the sponsor be unable to maintain the financial records of the grass roots lobbying campaign, the sponsor may file the records, including all accounts, bills, receipts, books, papers and documents, with the appropriate county agency for preservation for five years.

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E. Information supporting any activities which are required to be reported is subject to audit by the department. However, the person subject to audit is not required to disclose information which is covered by the attorney-client privilege. (Ord. 13320 § 10, 1998).

**1.07.110 Employment of unregistered persons.** It shall be a violation of this chapter for any person to employ for compensation or any consideration, or pay or agree to pay any compensation or consideration to, a person to lobby who is not registered under this ordinance except upon condition that such person register as a lobbyist as provided by this ordinance, and such person does in fact so register in conformance with Section 3 of this K.C.C. 1.07.030. (Ord. 13320 § 11, 1998).

**1.07.120 Lobbyist duties and restrictions.** A person required to register as a lobbyist under this chapter shall also have the following obligations, the violation of which may subject the person, and the person's employer, if that employer willfully aids, abets, ratifies or confirms any such act, to civil penalties, as provided by this chapter:

A. A person required to register as a lobbyist shall obtain and preserve all accounts, bills, receipts, books, papers and documents necessary to substantiate the financial reports required to be made under this chapter for a period of at least five years from the date of the filing of the statement containing such items. These accounts, bills, receipts, books, papers and documents shall be made available for inspection by the department during regular business hours: provided, that if a lobbyist or sponsor is required under the terms of his or her employment contract to turn any records over to his or her employer, responsibility for the preservation of such records under this subsection shall rest with that employer;

B. In addition, a person required to register as a lobbyist under this chapter shall not:

1. Engage in any activity as a lobbyist before registering as such;
2. File any statement or report with the department that is incomplete in any material respect or contains a statement that is false or misleading with respect to any material fact;
3. Fail to comply with any of the reporting requirements of this chapter;
4. Knowingly deceive or attempt to deceive any councilmember or the council as to any fact pertaining to any pending or proposed legislation;
5. Cause or influence the introduction of any legislation or amendment thereto for the purpose of thereafter being employed to secure its defeat;
6. Exercise any undue influence, extortion or unlawful retaliation upon any councilmember by reason of such councilmember's position with respect to, or his or her vote upon, any legislation; or
7. Enter into any agreement, arrangement, or understanding according to which his or her compensation, or any portion thereof, is or will be contingent upon the success of any attempt to influence legislation. (Ord. 13320 § 12, 1998).

**1.07.130 Administrative duties.** The department shall:

A. Prepare, publish and update, as appropriate, documents written in plain language explaining the provisions of this chapter and, further, develop and implement other methods to educate the public, including, but not limited to, grassroots campaign lobbying groups, employers and lobbyists concerning the requirements of this chapter;

B. Develop and provide forms for the reports and statements required to be made under this chapter;

- C. Prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter;
- D. Compile and maintain a current list of all filed reports and statements;
- E. Annually publish and disseminate a directory of lobbyists which sets forth the name, employer, if applicable, and telephone number of each lobbyist;
- F. Determine whether properly completed statements and reports have been filed within the times required by this chapter;
- G. Prepare and publish an annual report to the council as to the effectiveness of this chapter and its enforcement, provided that with the first annual report the executive shall include recommendations on whether the preparation of legislation by the executive branch and/or promulgating rules should be activities within the definition of "lobbying." These recommendations shall be based on a review of the questions by a task force established by the board of ethics;

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H. Review at least every five years the monetary reporting thresholds and penalties of this chapter. The focus of this review shall include recognition of economic changes and any related changes promulgated by rule. Upon completion of its review, the department shall recommend to the council necessary changes, if any, to the monetary reporting thresholds and penalties of this chapter;

I. Adopt administrative rules to carry out the policies and purposes of this chapter. The initial administrative rules shall be effective upon approval by the metropolitan King County council by motion. The department shall transmit the initial administrative rules for council approval within four months after November 20, 1998. The department shall consult with an advisory group of citizens when preparing these initial administrative rules. Thereafter, the department shall adopt administrative rules pursuant to K.C.C. chapter 2.98;

J. Prepare and publish such reports as in its judgment will address the purposes of this chapter including reports and statistics concerning lobbying and enforcement of this chapter;

K. Audit the registrations and reports of lobbyists, sponsors of professional grass roots lobbying campaigns and lobbyists' employers;

L. Give a written warning for the first violation to any person registered under this ordinance who fails to file required statements and reports within the timelines established herein by certified mail, return receipt requested. Each subsequent violation after the initial warning has been given shall be assessed a late report filing fee of fifty dollars and an additional late fee of ten dollars per day for up to thirty days. Late fees shall be assessed by the department and may be appealed to the hearing examiner within thirty days of assessment. (Ord. 13320 § 13, 1998).

#### **1.07.140 Complaints and investigations -- penalties.**

A. Except for allegations of untimely filing of statements and reports, which are processed by the department under section K.C.C. 1.07.130L, complaints alleging a violation of any of the provisions of this chapter shall be filed with the county auditor. Any such a complaint shall be in writing, verified and signed by the complainant. The complainant shall describe the basis for the complainant's belief that this chapter has been violated. The complainant may state in the written complaint whether the complainant desires that his or her name be withheld from disclosure under RCW 42.17.310(1)(e) if the complaint is the subject of a public records disclosure request.

B. Within twenty days of receiving a complaint meeting the requirements of subsection A of this section, the auditor shall serve or mail, by certified mail, return receipt requested, a copy of the complaint to the person alleged to have violated this chapter. Within forty days of receiving the complaint the auditor shall analyze the merits of the complaint to determine whether a full investigation is warranted. The auditor shall have the authority to issue an order dismissing the complaint, or specific sections of the complaint, if the auditor determines that the complaint or specific sections of the complaint, as written, alleges a de minimis violation or does not state facts that, even if true, would constitute a violation of this chapter.

C. If the auditor determines that a full investigation of the complaint is warranted, then the investigation shall be directed to ascertain the facts concerning the violation or violations alleged in the complaint and shall be conducted in an objective and impartial manner. The auditor is authorized to contract for such investigative services and other assistance as may be needed to conduct the investigation, subject to the council's appropriation of adequate funds to pay for the costs of the contracts. In furtherance of such an investigation, the auditor is authorized to use the subpoena power to compel sworn testimony from any person and require the production of any records relevant or material to the

investigation except information that is legally privileged. Upon request of the auditor, county employees shall provide sworn testimony and produce any records relevant or material to the investigation, except information that is legally privileged.

D. During the investigation, the auditor shall consider any statement of position or evidence with respect to the allegations of the complaint that the complainant or respondent wishes to submit.

E. The results of the investigation shall be reduced to written findings of fact and a finding shall be made that there either is or is not reasonable cause for believing that the respondent has violated one or more provisions of the chapter.

F. If a finding is made that there is no reasonable cause, then the finding shall be served or mailed, by certified mail, return receipt requested, to the complainant and the respondent and the finding shall be final. The original of the auditor's finding shall be filed with the clerk of the council.

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G. If a finding is made that reasonable cause exists to believe that the respondent has violated one or more of the provisions of this chapter, then the auditor shall prepare an order to that effect, copies of which shall be served or mailed, by certified mail, return receipt requested, to the complainant and the respondent. The original of the auditor's order shall be filed with the clerk of the council. The reasonable cause order shall include:

1. A finding that one or more violations of this chapter has occurred;
2. The factual basis for the finding;
3. The amount of the civil penalty or penalties imposed for remedial purposes to be assessed for each violation. A person who is found to have violated this chapter shall be given a written warning for the first violation by certified mail, return receipt requested, and shall be subject to a civil penalty of up to one thousand dollars for each subsequent violation after the warning has been given. Further, an individual penalty may not exceed one thousand dollars per violation and in any case where multiple violations are involved in a single complaint, the maximum aggregate civil penalty shall not exceed two thousand five hundred dollars; and

4. A notice informing the respondent that the respondent has the right to a hearing before the hearing examiner as set forth in K.C.C. 1.07.150. (Ord. 14442 § 3, 2002; Ord. 13320 § 14, 1998).

#### **1.07.150 Appeals.**

A. Any respondent aggrieved by an order of the auditor may request in writing within twenty days of the service of the order upon the respondent an appeal hearing before the hearing examiner. The request shall cite the order appealed from and specify with particularity the findings being contested. The request shall be filed with the hearing examiner with a copy to the auditor and the complainant.

B. Any order issued by the auditor pursuant to K.C.C. 1.07.140 shall become final twenty days after service of the order unless a written request for an appeal hearing as set forth above is received by the hearing examiner within the twenty day period.

C. If an order of the auditor has been timely appealed, a hearing shall be conducted by the hearing examiner for the purpose of affirming, denying or modifying the order. The parties to the hearing shall be the respondent and the auditor. There shall be a verbatim record kept of the hearing and the hearing examiner shall have the power to administer oaths and affirmations, issue subpoenas, compel attendance, take evidence and require the production of any books, papers, correspondence, memoranda or other documents relevant or material to the hearing, except information which is covered by the attorney-client privilege. The burden of proving that a violation occurred shall at all times be upon the auditor. The decision of the hearing examiner shall be based upon a preponderance of the evidence. Such hearing shall be conducted within a reasonable time after receipt of the request for appeal. Written notice of the time and place of the hearing shall be given to the parties and the complainant at least ten days prior to the date of the hearing.

D. At the hearing each party shall have the following rights:

1. To call and examine witnesses on any matter relevant to the issues raised by the order of the auditor;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any relevant matter;
4. To impeach any witness regardless of which party first called the witness to testify;
5. To rebut evidence against him or her; and

6. To represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so.

E. Following review of the evidence submitted the hearing examiner shall, within a reasonable time, enter written findings and conclusions and shall affirm or modify the order previously issued if the hearing examiner finds that one or more violations of this chapter have occurred. The hearing examiner shall reverse the order if he or she finds that no violations of this chapter have occurred. A copy of the hearing examiner's decision shall be served or mailed, by certified mail, return receipt requested, to the auditor, the respondent and the complainant.

The original of the hearing examiner's decision shall be filed with clerk of the council.

F. A decision of the hearing examiner shall be a final and conclusive action unless within twenty-one calendar days from the date of issuance of the hearing examiner's decision an aggrieved person files an appeal in superior court, state of Washington, for the purpose of review of the action taken. (Ord. 13320 § 15, 1998).

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### **Chapter 1.08 ELECTION OFFICERS AND POLLING PLACES**

#### **Sections:**

- 1.08.020 Inspectors and judges - Compensation.
- 1.08.030 Rental for polling places.

#### **1.08.020 Inspectors and judges - Compensation.**

A. The manager, records and elections division, is authorized and directed to compensate election inspectors and judges either the state or federal minimum hourly wage, whichever is greater.

B. Precinct election officials shall be credited with no more than the following hours for the services provided:

<b>Activity</b>	<b>Hours</b>
Service at a polling place on election day	15.5
Transporting election supplies to and from the ballot collection depot	5
Judge accompanying an Inspector for the delivery of ballots to the collection depot	1
Attendance at training classes	3

(Ord. 13497 § 1, 1999: Ord. 13497 § 1, 1999: Ord. 12713 § 2, 1997: Ord. 9391, 1990).

**1.08.030 Rental for polling places.** The rental fee for each polling place will be eighty dollars in 1999 and one hundred dollars beginning in the year 2000 and beyond with an incremented fee of five dollars for each additional precinct in the polling place through 1998 and ten dollars for each additional precinct in the polling place beginning in the year 1999 and beyond. (Ord. 13214 § 1, 1998: Ord. 4695 § 1, 1980: Ord. 2322 § 1, 1975: Ord. 918 § 3, 1971).

### **Chapter 1.10 VOTER'S PAMPHLET**

#### **Sections:**

- 1.10.010 Publication and distribution.
- 1.10.020 Notification.
- 1.10.030 Administrative rules.
- 1.10.040 Cost.
- 1.10.050 Interlocal agreements.
- 1.10.060 Challenges to explanatory statements.
- 1.10.070 Evaluation report and authorization.

**1.10.010 Publication and distribution.** Publication and distribution of a local voters' pamphlet in conformity with the provisions of chapter 29.81A RCW, for annual general elections and odd-numbered year election primaries held in King County, and for other primaries and special elections as determined by the council, is hereby authorized. Authorization is specifically given for special elections held for municipal incorporations and annexations to be conducted by mail ballot and for even numbered year primaries when the county has an elective office or measure on the ballot. Said pamphlet shall include:

- A. All King County elective offices and ballot measures.
- B. Elective offices and ballot measures of all cities, towns, and special taxing districts located entirely within King County, which are to appear on the ballot for which the voters' pamphlet is prepared unless specifically exempted by the council as provided by RCW 29.81A.020(2).

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C. Cities, towns, or special taxing districts located partly within King County and partly within another county, if the counties have entered into an interlocal agreement pursuant to RCW 29.81A.020(3) to permit distribution of each county's voters' pamphlet into those parts of the city, town or district located outside of that county. (Ord 11784 § 1, 1995: Ord. 8800 § 1, 1988: Ord. 8478 § 1, 1988: Ord. 8113 § 1, 1987).

**1.10.020 Notification.** Prior to any primary, general, or special election for which a voters' pamphlet is being prepared, the King County records and elections division shall notify each city, town, and special taxing district located wholly within King County that a local voters' pamphlet will be published and distributed; except, in the event the pamphlet is authorized specifically because the election is by mail ballot, notice should be sent to those cities and special taxing districts affected by the proposed annexation and incorporation. (Ord. 8800 § 2, 1988: Ord. 8478 § 2, 1988: Ord. 8113 §§ 2-3, 1987).

**1.10.030 Administrative rules.** Following the effective date of this chapter, the division of records and elections, after consultation with participating jurisdictions, shall adopt and publish administrative rules necessary to facilitate the provisions of this chapter and chapter 29.81A RCW authorizing the publication and distribution of a local voter's pamphlet. (Ord. 8113 § 4, 1987).

**1.10.040 Cost.** The cost of a local voter's pamphlet shall be considered an election cost to those local jurisdictions included in the pamphlet and shall be prorated in the manner provided in RCW 29.13.045. (Ord. 8113 § 5, 1987).

**1.10.050 Interlocal agreements.** The executive is authorized to enter into interlocal agreements necessary to produce a local voters' pamphlet in cooperation with the state of Washington. (Ord. 8113 § 6, 1987).

**1.10.060 Challenges to explanatory statements.** Any challenge to an explanatory statement prepared or reviewed and approved pursuant to RCW 29.81A.040(3) shall be brought within five days from the filing of such explanatory statement with the division of records and elections. Any such challenge shall be brought by way of petition in the Superior Court for King County. The petition shall set forth the text of the explanatory statement, the objections thereto, and shall request the amendment of the text of the explanatory statement. The decision of the Superior Court shall be final. (Ord. 8113 § 7, 1987).

**1.10.070 Evaluation report and authorization.** Each January following a year in which a voters' pamphlet is produced, the executive shall submit a report to the council evaluating the division of records and elections experience in producing the voter's pamphlet. The report shall include a statement of overall costs and costs to participating jurisdictions, level of local participation, impacts on election turnout, reception of the pamphlet by voters and participants and any other information necessary to an analysis of the program by the council. (Ord. 8478 § 3, 1988: Ord. 8113 § 8, 1987).

**Chapter 1.12**  
**VOTING PRECINCTS AND VOTING SYSTEMS**

**Sections:**

- 1.12.010 Establishment and revision of precincts.
- 1.12.020 Voting devices and tally systems.

**1.12.010 Establishment and revision of precincts.**

A. Precinct Establishment. The voting precincts of King County are hereby established pursuant to state law and shall be as described in the attachments to this section which are hereby adopted, and which shall be retained officially on file in the division of records and elections.

1.12.010 - 1.14.010

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B. Precincts Identified. An alpha-numeric system of identifying voting precincts using a combination of letters and numbers shall be established throughout King County. Those precincts located in unincorporated areas of the county which presently have names shall retain them for public purposes in addition to the alpha-numeric designation. Names shall be given only to those new precincts in unincorporated areas of the county which are created from portions of existing named precincts.

C. Precinct Revisions. Precincts shall be divided, new precincts created, and boundaries of existing precincts altered, as necessary, to implement precinct balancing, and to accommodate the incorporation and annexations of unincorporated county areas into incorporated cities and for the convenience of voters.

D. Precinct Balancing. In balancing precincts, voting precincts shall be constructed so as to consist of between two hundred and four hundred registered voters per individual precinct. Where necessary to construct a precinct with less than two hundred representation, it shall be noted on the revision proposal and a full explanation of this deviation provided.

E. Revision Approval. Proposed revisions to voting precincts, as provided for in this section, shall be submitted to the council for approval by ordinance no later than May 1st of the applicable year. The proposal shall include a replacement for the attachments to this section.

F. King County District Court Electoral District Boundaries. The records and elections division shall submit to the council concurrently with any proposed revisions to voting precincts, proposed revisions to the King County district court electoral district boundaries which result from the proposed voting precinct revisions, as described in K.C.C. 2.68. (Ord. 13554 § 1, 1999: Ord. 13224 § 1, 1998: Ord. 12771 § 1, 1997: Ord. 12343 § 1, 1996: Ord. 11827, 1995: Ord. 11347, 1994: Ord. 11041 § 4, 1993: Ord. 10896 § 1, 1993: Ord. 10422, 1992: Ord. 9996, 1991: Ord. 9467, 1990: Ord. 9064 § 1, 1989: Ord. 9015, 1989: Ord. 8579, 1988: Ord. 8105, 1987: Ord. 7673 § 1, 1986: Ord. 7228 § 1, 1985: Ord. 6809, 1984: Ord. 6419, 1983: Ord. 6039 §§ 2-3, 1982: Ord. 5540, 1981: Ord. 4943, 1980: Ord. 3820, 1978: Ord. 3731, 1978: Ord. 3050, 1977: Ord. 2779, 1976: Ord. 2754, 1976: Ord. 2408, 1975: Ord. 1708 § 1, 1973: Ord. 1276 § 1, 1972: Ord. 884 § 1, 1971).

**1.12.020 Voting devices and tally systems.** Voting devices and vote tally systems as defined in RCW 29.01.200 may be used in all primaries and elections, general or special, in all precincts within King County.

The manager, records and elections division, is authorized discretionary use of these voting devices in any type of election and any combination of precincts as provided by law. (Ord. 9064 § 2, 1989: Ord. 1053 §§ 1, 2, 1971).

**Chapter 1.14**  
**PRECINCT LISTS-COMPUTER PRINTOUTS**

**Sections:**

- 1.14.010 Filing-Amendment.
- 1.14.020 Public inspection of copies.
- 1.14.030 Purchase of copies.
- 1.14.040 Copies of tapes-Purchase for use.
- 1.14.050 Copies-Purchase price.
- 1.14.060 Statement to accompany copies.

**1.14.010 Filing - Amendment.** The division of records and elections shall file with the clerk of the county council sample forms of the computer printouts which shall indicate the type of information which will be contained on the copies of the computer printouts of the current precinct lists of registered voters available for purchase or inspection. The division of records and elections may amend the forms to include additional information or to delete information by filing additional or supplemental samples with the clerk of the county council; provided, however, that additional or supplemental filings shall not be made during the period of time commencing ninety days prior to an election and terminating on the date of the election. (Ord. 1346 § 1, 1972).

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PRECINCT LISTS-COMPUTER PRINTOUTS

1.14.020 - 1.14.060

**1.14.020 Public inspection of copies.** Copies of computer printouts in the form of samples filed with the clerk of the county council may be inspected by any member of the public at the office of records and elections under such reasonable rules and regulations as the division of records and elections may prescribe. (Ord. 1346 § 2, 1972).

**1.14.030 Purchase of copies.** Copies of the computer printouts in the form of the samples filed with the clerk of the county council may be purchased by any registered voter of the state within ten days after a written request is filed with the division of records and elections. Either paper copies prepared on the copying machines being currently used by the county or microfilm copies may be purchased. (Ord. 1346 § 3, 1972).

**1.14.040 Copies of tapes - Purchase for use.** Any registered voter of the state within ten days after a written request is filed with the division of records and elections may purchase the use of copies of the computer magnetic tapes and format being currently used by the division of records and elections, which contain the information from which the lists of current registered voters are compiled, for use in specific elections under the following rules and regulations:

A. Copies of the tapes may not be obtained until one hundred ninety days prior to the specific election for which its use is desired.

B. All copies obtained shall be returned within ten days after the election.

C. The person obtaining copies of the tapes shall sign an affidavit stating the name and address of each person who will have possession of the tapes and the name and address of each person who will operate the computers on which the tapes will be used.

D. It is unlawful for anyone to permit a duplicate copy to be made of all or any part of any computer magnetic tape obtained pursuant to this chapter or to permit the use of the computer magnetic tapes to improve, amend, supplement or update the information contained on any other computer magnetic tape.

E. When the computer magnetic tapes obtained pursuant to this chapter are returned, the person who obtained them shall sign and deliver to the division of records and elections an affidavit stating: The name and address of each person who had possession of the computer magnetic tapes, the name and address of each person who operated the computers on which the computer magnetic tapes were used; a summary of the information and material which was obtained by using the tapes such as mailing labels or alphabetical or geographical lists; that duplicate copies of all or any portion of the tapes were not made; that the tapes were not used to improve, supplement, amend or update other computer magnetic tapes; and that all computer print-outs and copies with the exception of mailing labels were stamped with the statement contained in Section 1.14.060.P

F. The person who obtained the tapes shall also obtain and deliver to the division of records and elections affidavits from each person who had possession of the tapes or who operated computers on which the tapes were used containing the information required in subsection E of this section. (Ord. 1346 § 4, 1972).

**1.14.050 Copies - Purchase price.** The purchase price of the copies of the computer tapes and paper and microfilm copies of the computer print-outs shall be established by the division of records and elections by filing with the clerk of the county council prior to each fiscal year a list of the charges which will be made for furnishing copies of the tapes or the computer print-outs during the next fiscal year. The charges shall be determined on the basis of the amount necessary to reimburse the county its actual costs for furnishing copies of the requested tapes and computer print-outs. (Ord. 1346 § 5, 1972).

**1.14.060 Statement to accompany copies.** Each paper copy of a computer print-out, the container for each microfilm copy of a computer print-out and the container for each copy of the computer magnetic tape shall be stamped with the following statement in conformance with RCW 29.04.100:

"The information contained herein shall be used only for political purposes. Any person who uses the information contained herein for commercial purposes shall be guilty of a felony and shall be punished by imprisonment for not more than five years or fine of not more than five thousand dollars, or by both such fine and imprisonment." (Ord. 1346 § 6, 1972).

1.16.010 - 1.16.030

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## **Chapter 1.16 REFERENDUM AND INITIATIVE PETITIONS**

### **Sections:**

- 1.16.010 General requirements.
- 1.16.020 Filing proposed measure.
- 1.16.030 Time for filing initiative and referendum petitions.
- 1.16.040 Numbering-Transmittal to Division of Records and Elections.
- 1.16.050 Ballot title-Formulation.
- 1.16.060 Ballot title-Notice to proponents.
- 1.16.070 Form of petitions for ordinances referred to people.
- 1.16.080 Petitions to council-Form.
- 1.16.090 Penalties.
- 1.16.100 Canvass and count of signatures-Statistical sampling authorized.

**1.16.010 General requirements.** Persons proposing initiative measures may, after compliance with Sections 1.16.040, 1.16.050 and 1.16.060, prepare blank petitions and cause them to be printed upon single sheets of white paper of good quality, nine and one-half inches in width and thirteen inches in length, with a margin of one and three-quarters inches at the top for binding. Each petition shall consist of not more than five sheets with numbered lines for not more than twenty signatures on each sheet, with the prescribed title and form of petition on each sheet, and, if appropriate under Section 1.16.080, a full, true and correct copy of the proposed measure referred to therein printed on the reverse side of the petition or on sheets of paper of like size and quality as the petition, firmly fastened together; provided, whenever possible, every initiative or referendum petition proposed shall be phrased in affirmative language so that a yes vote will clearly be a vote in favor of the proposition and a no vote will clearly be a vote in opposition to the proposition. (Ord. 2054 § 1, 1974: Ord. 584 § 1, 1970: Ord. 500 § 1, 1970: Ord. 159 § 1, 1969).

**1.16.020 Filing proposed measure.** If any individual, or committee of individuals, desires to petition the council to enact a proposed measure or to order that a referendum of any ordinance passed by the council be submitted to the electorate, he shall file in the office of the clerk of the council five printed or typewritten copies of the measure proposed or referendum petition, accompanied by the name and post office address of the proposer. (Ord. 584 § 2, 1970: Ord. 159 § 2, 1969).

### **1.16.030 Time for filing initiative and referendum petitions.**

A. Initiative petitions containing the required signatures of registered voters of the county as provided in Section 230.50 of the Charter, must be filed within NINETY days from the date of approval of



such form by the clerk of the council. If petitioner fails to file such petition within the prescribed time limit, it shall have no validity and the petition will not be considered by the council as an initiative petition.

B. Referendum petitions containing the required signatures of registered voters of the county, as provided in Section 230.40 of the Charter, must be filed within forty-five days after the enactment of the ordinance to be referred to the voters. If the petitioner fails to file such petition within the prescribed time limit, it shall have no validity and will not be referred to the voters. (Ord. 13074 § 1, 1998: Ord. 2602 § 1, 1975: Ord. 2280 § 1, 1975: Ord. 159 § 3, 1969).

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## REFERENDUM AND INITIATIVE PETITIONS

1.16.040 - 1.16.070

**1.16.040 Numbering - Transmittal to Division of Records and Elections.** The clerk of the council shall assign a serial number to each initiative measure or referendum petition, using a separate series for each, and forthwith transmit one copy of the measure proposed, bearing its serial number, to the Division of Records and Elections and the office of the prosecuting attorney. Thereafter a measure shall be known and designated on all petitions, ballots and proceedings as "Initiative Measure No..." or "Referendum Measure No..." (Ord. 2280 § 2, 1975: Ord. 584 § 3, 1970: Ord. 159 § 4, 1969).

**1.16.050 Ballot title - Formulation.** Within five days after the filing of an initiative measure or referendum petition with the clerk of the council, the prosecuting attorney shall prepare a ballot title and transmit it to the clerk of the council and the Records and Elections Division bearing the serial number of the measure. The ballot title shall be a concise statement in the form of a question containing the essential features of the measure and not exceeding twenty words and may be drafted in common language for greater clarity. The ballot title shall be phrased in language so that a yes vote will clearly be a vote in favor of the action or condition that would result from the approval of the measure, and a no vote will clearly be a vote in opposition to such action or condition. In the case of a referendum to ratify or revoke some prior action, the ballot title may refer directly to the prior action rather than to the ratification or revocation of said action. The ballot title prepared by the prosecuting attorney shall be included in the referendum or initiative petition as provided for in Sections 1.16.070 and 1.16.080. (Ord. 2602 § 2, 1975: Ord. 2280 § 3, 1975: Ord. 584 § 4, 1970: Ord. 159 § 5, 1969).

**1.16.060 Ballot title - Notice to proponents.** Upon the filing by the prosecuting attorney of the ballot title for an initiative or referendum measure in that office, the Records and Elections Division shall forthwith notify the persons proposing the measure, by mail, of the exact language thereof. Thereafter, such ballot title shall be the title of the measure in all proceedings in relation thereto. (Ord. 2602 § 3, 1975: Ord. 2280 § 4, 1975: Ord. 584 § 5, 1970: Ord. 159 § 6, 1969).

**1.16.070 Form of petitions for ordinances referred to people.** Petitions ordering that ordinances passed by the council be referred to the people at the special or general election, as provided in Article 2, Section 230.40 of the Charter, shall be substantially in the following form:

### **"WARNING**

Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal voter, or who makes herein any false statement, shall be punished as provided by law.

### **PETITION FOR REFERENDUM**

To the Clerk of the King County Council, King County, Washington: We, the undersigned citizens of King County, State of Washington and legal voters of the respective precincts set opposite our names, respectfully order and direct that Referendum Measure No....., entitled (here set forth the title of the ordinance) being an ordinance passed by the King County Council on the .....day of ....., 19...., and which would appear on the ballot in the following form:

(ballot title prepared by the prosecuting attorney)

shall be referred to the people of the County for their approval or rejection; and each of us for himself says: I have personally signed this petition; I am a legal voter of King County, State of Washington in the precinct, city or town written after my name, and my residence address is correctly stated. A full, true and correct copy of the ordinance is attached hereto and on file with the Clerk of the Council and available for public inspection.

1.16.070 - 1.16.080

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Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	City or Town	Precinct Name or Number (if known)
1. ....				
2. ....				
3. ....				
4. ....				

(Ord. 2602 § 4, 1975: Ord. 2054 § 2, 1974: Ord. 584 § 6, 1970: Ord. 159 § 7, 1969).

**1.16.080 Petitions to council - Form.** Petitions for proposing measures for submission to the King County council shall be substantially in the following form:

**"WARNING**

Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal voter, or who makes herein any false statement, shall be punished as provided by law.

**INITIATIVE PETITION FOR SUBMISSION TO  
THE KING COUNTY COUNCIL**

To the Clerk of the King County Council, King County, Washington:

We, the undersigned citizens of King County, State of Washington, and legal voters of the respective precincts set opposite our names, respectfully direct that this petition and the proposed measure known as Initiative Measure No. ...., and which would appear on the ballot in the following form:

(ballot title prepared by the prosecuting attorney)

a full, true and correct copy of which is hereby attached, and on file with the Clerk of the Council and available for public inspection, shall be transmitted to the King County Council, and we respectfully petition the Council to enact said measure into law; and, if not enacted within ninety days from the time of presentment, then to be placed on the ballot at the next regular or special election for approval by the voters of King County; and each of us for himself says: I have personally signed this petition; I am a legal voter of King County, State of Washington in the precinct, city or town written after my name and my residence address is correctly stated.

Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	City or Town	Precinct Name or Number (if known)
1. ....				
2. ....				
3. ....				
4. .... "				

(Ord. 2602 § 5, 1975: Ord. 2054 § 3, 1974: Ord. 159 § 8, 1969).

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## REFERENDUM AND INITIATIVE PETITIONS

1.16.090 - 1.18.010

**1.16.090 Penalties.** Every person who signs an initiative or referendum petition with any other than his true name, or who knowingly signs more than one petition for the same initiative or referendum measure, or who signs such petition knowing that he is not a legal voter, or who makes a false statement as to his residence on any initiative or referendum petition, is guilty of a misdemeanor and shall be punished as provided by the laws of the state of Washington. (Ord. 159 § 9, 1969).

**1.16.100 Canvass and count of signatures - Statistical sampling authorized.** When petitions for initiative and/or referendum action are filed with the county council, the records and elections division shall forthwith proceed to canvass and count the names of the legal voters thereon. The records and elections division may use any statistical sampling techniques for this canvass which have been approved by the county council. Provided, that no petition will be rejected on the basis of any statistical method employed; provided further, that no petition will be accepted on the basis of any statistical method employed if such method indicates that the petition contains less than one hundred ten percent of the requisite number of signatures of legal voters. If the records and elections division finds the same name signed to more than one petition it shall reject the name as often as it appears. After the petitions are processed, the records and elections division shall transmit a certified copy of the facts relating to the filing of the petition and canvass thereof. (Ord. 2602 § 6, 1975: Ord. 834 § 1, 1971).

## Chapter 1.18 ALTERATION OF PETITIONS

### Sections:

- 1.18.010 Findings of fact.
- 1.18.020 Definitions.
- 1.18.030 Sample petition must be approved.
- 1.18.040 Signatures on altered petitions invalid.
- 1.18.050 Permanent alteration - clerk of the council.
- 1.18.060 Temporary alteration - canvassing board.
- 1.18.070 Fact-finding hearing.
- 1.18.080 Appeal to Superior Court.
- 1.18.090 Penalties for alteration.
- 1.18.100 Severability.

**1.18.010 Findings of fact.** The King County council, based upon its knowledge of recent events in King County, makes the following findings of fact:

A. The language and form of referendum and initiative petitions have been subject to unapproved alteration by persons who wished to use the petitions as instruments of political debate or to induce voters to sign petitions based on inaccurate or misleading characterizations of the petitions.

B. The King County council, while encouraging vigorous political debate over the merits of referendums and initiatives, finds and declares that the petitions themselves should be documents which inform voters of the issues before them and which record the signatures of voters who wish to support the referendum or initiative.

C. The King County council finds and declares that sanctions are needed to discourage alteration of petitions and to uphold the integrity of the referendum and initiative process. (Ord. 8024 § 1, 1987).

1.18.020 - 1.18.060

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**1.18.020 Definitions.** For the purpose of this chapter the following definitions are adopted:

A. ALTER/ALTERATION.

1. To "alter" means to cause alteration. "Alteration" is any change to a referendum or initiative petition which occurs between the time the form and language of the petition are approved by the clerk of the council and the time when signed petitions are returned to the clerk, with the exception of:

a. The signatures and other information required of the petition signers;  
b. Normal wear and tear, so long as such wear and tear does not prevent one from reading all of the approved language on the petition.

2. The following are representative examples of alteration:

a. The addition of any unapproved language, either printed or handwritten;  
b. The crossing-out, covering or obscuring of approved language;  
c. The underlining or highlighting of any words or part of the petition;  
d. The physical attachment to the petition by any means - for example, by stapling, taping, gluing, or clipping - of any unapproved document.

3. Alteration is either permanent, that is, observable at the time the signed petitions are returned to the clerk of the council; or temporary, that is, occurring at any time during the solicitation of signatures for the petition but not longer observable when the signed petitions are returned to the clerk of the council.

B. CANVASSING BOARD. The "canvassing board" shall consist of the county executive, the manager of the records and elections division, and the county prosecutor, or their respective designees. The powers and duties of the canvassing board as set forth in this chapter are independent of any powers and duties created by Title 29 RCW or any other state statute. (Ord. 8024 § 2, 1987).

**1.18.030 Sample petition must be approved.** No referendum or initiative petition shall be distributed to the public for solicitation of signatures until a sample petition, in the form required by K.C.C. 1.16.070 or K.C.C. 1.16.080, has been submitted to and approved by the clerk of the council. This sample petition shall either be one of the printed petitions or a galley proof or other accurate specimen of the printed petition. The clerk shall retain this sample petition for comparison with the signed petitions later filed for counting and canvassing of signatures. (Ord. 8024 § 3, 1987).

**1.18.040 Signatures on altered petitions invalid.** All signatures on any petition which has been temporarily or permanently altered shall be invalid and shall not count towards the number of signatures needed to satisfy the requirements of King County Charter 230.40 or 230.50. (Ord. 8024 § 4, 1987).

**1.18.050 Permanent alteration - clerk of the council.** When signed petitions are filed with the council pursuant to K.C.C. 1.16.100, the clerk of the council shall examine the petitions to determine whether they have been permanently altered. Any altered petitions shall be retained by the clerk and not transmitted to the records and elections division for canvassing and counting. The clerk shall notify the petition sponsor(s) of this action and shall make the altered petitions available for inspection. The records and elections division shall incorporate the fact that altered petitions were not counted in its certified copy of the facts filed pursuant to K.C.C. 1.16.100. (Ord. 8024 § 5, 1987).

**1.18.060 Temporary alteration - canvassing board.** Before the records and elections division certifies the facts relating to the filing and canvass of an initiative petition pursuant to K.C.C. 1.16.100, or before the expiration of forty-five days after enactment of the ordinance which is the subject of a referendum petition, a registered voter may allege that petitions have been temporarily altered. This allegation shall be made by filing with the clerk of the council an affidavit which states the factual basis for the allegation. The clerk of the council shall transmit a copy of the affidavit to the records and elections division, which shall proceed to count and canvass the names of the legal voters on the petitions transmitted to it by the clerk of the council. If the number of signatures which would be valid if obtained on unaltered petitions is insufficient to satisfy the requirements of Charter 230.40 or 230.50, then the records and elections division shall certify the facts relating to the filing and canvass of the petition pursuant to K.C.C. 1.16.100. If the number of signatures which would be valid if obtained on unaltered petitions satisfies the requirements of Charter 230.40 or 230.50, then the records and elections division shall transmit to the members of the canvassing board both its count of the signatures and a copy of the affidavit alleging alteration. (Ord. 8024 § 6, 1987).

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1.18.070 - 1.18.100

**1.18.070 Fact-finding hearing.** The members of the canvassing board, upon receipt from the records and elections division of an affidavit alleging temporary alteration and a count of the signatures which would be valid if obtained on unaltered petitions, shall convene a fact-finding hearing as follows:

A. The canvassing board shall determine whether temporary alteration took place as alleged, and, if so, shall determine whether the number of signatures invalidated by alteration reduces the number of signatures that can be counted below the requirements of Charter 230.40 or 230.50.

B. The members of the canvassing board must agree unanimously in order to invalidate signatures pursuant to K.C.C. 1.18.040 of this chapter.

C. The parties to the hearing shall be the petition challenger(s) and the petition sponsor(s). The petition challenger(s) shall have the burden of proving the fact, nature, and extent of the alteration by a preponderance of the evidence.

D. The hearing shall be electronically recorded.

E. The hearing shall commence no later than three days after the affidavit which alleges alteration and the count of signatures is transmitted to the members of the canvassing board, unless both the petition challenger(s) and the petition sponsor(s) agree upon a later date.

F. The prosecutor or his designee shall be responsible for scheduling the hearing, for giving timely notice of its date to the petition challenger(s) and petition sponsor(s), and for making procedural rulings during the hearing. These procedural decisions of the prosecutor or his designee shall be subject to modification by majority vote of the canvassing board.

G. The canvassing board shall transmit its findings to the records and elections division, which shall incorporate the findings into the certified copy of the facts filed pursuant to K.C.C. 1.16.100. (Ord. 8024 § 7, 1987).

**1.18.080 Appeal to Superior Court.** The decision of the clerk of the council regarding permanent alteration and the decision of the canvassing board regarding temporary alteration shall be final unless an aggrieved petition challenger or sponsor both applies for a writ of certiorari with the King County Superior Court and serves a copy of the writ application on the clerk of the council within ten (10) calendar days of the date the records and elections division files a certified copy of the facts pursuant to K.C.C. 1.16.100. (Ord. 8024 § 8, 1987).

**1.18.090 Penalties for alteration.** Any person who, intentionally and maliciously, alters a referendum or initiative petition or distributes an altered referendum or initiative petition shall be guilty of a misdemeanor and shall be punished as provided by the laws of the State of Washington. The act of

intentionally altering a petition shall be a separate crime for each petition so altered. For purposes of this section, one acts intentionally if one acts with the culpability defined in RCW 9A.08.010(1) (a), and one acts maliciously if one acts with the culpability defined in RCW 9A.04.110(12), as those sections now exist or are hereafter amended. (Ord. 8024 § 9, 1987).

**1.18.100 Severability.** Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remaining portion of this chapter. (Ord. 8024 § 10, 1987).

1.22.010 - 1.24.005

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#### **Chapter 1.22 DISTRICTING COMMITTEE APPOINTMENTS**

**Sections:**

1.22.010 Appointment procedure.

**1.22.010 Appointment procedure.** The districting committee established in the King County Charter, Section 650.30.20, shall be appointed as follows:

A. Each councilmember may nominate one person of the councilmember's political party.

B. The King County council shall appoint four members, two appointed from the Democratic nominees and two appointed from the Republican nominees. (Ord. 7471, 1986: Ord. 5327 1, 1981).

#### **Chapter 1.24 COUNCIL RULES AND ORDER OF BUSINESS**

**Sections:**

1.24.005	Rule 1:	Definitions.
1.24.015	Rule 2:	Powers and duties of the chair.
1.24.025	Rule 3:	Powers and duties of the vice-chair – acting chair in absence of chair and vice-chair.
1.24.035	Rule 4:	Meetings.
1.24.045	Rule 5:	Agenda.
1.24.055	Rule 6:	Standing committees.
1.24.065	Rule 7:	Regional committees.
1.24.075	Rule 8:	Indication of new and deleted matter in ordinances – copies of official communications and requests for councilmembers.
1.24.085	Rule 9:	Introduction and initial consideration of proposed legislation.
1.24.095	Rule 10:	Public hearing and second reading.
1.24.105	Rule 11:	Notice – public hearing on proposed ordinance.
1.24.115	Rule 12:	Notice – police and sanitary regulations.
1.24.125	Rule 13:	Recalling legislation from committees.

1.24.135	Rule 14:	Adoption by consent.
1.24.145	Rule 15:	Quorum and voting.
1.24.155	Rule 16:	Amendments.
1.24.165	Rule 17:	Parliamentary motions – suspension of rules.
1.24.175	Rule 18:	Rules of debate.
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1.24.195	Rule 20:	Final passage of legislation.
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1.24.225	Rule 23:	Lapse and reintroduction of legislation.
1.24.235	Rule 24:	Public record of council meeting.
1.24.245	Rule 25:	Copies of electronic recordings.
1.24.255	Rule 26:	Appeal from decision of chair.
1.24.265	Rule 27:	Parliamentary rules.
1.24.305	Rule 31:	Legal signature.
1.24.320	Rule 32:	Organizational motions – compilation and amendment.

**1.24.005 Rule 1: Definitions.** The definitions in this rule apply throughout this chapter unless the context clearly requires otherwise.

A. "Committee" means a standing or special committee of the council as so designated by rule, motion or appointment by the chair of the council.

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B. "Legislation" means a "motion" or "ordinance" as those terms are used in Section 230 and 240 of the King County Charter.

C. "Regional committee" means a regional committee established under Section 270 of the King County charter.

D. "Special committee" means a committee that goes out of existence as soon as it has completed a specified task.

E. "Standing committee" means a committee, excluding regional committees, composed exclusively of councilmembers created by the council and given the task of reviewing legislation. (Ord. 13982 § 1, 2000: Ord. 11683 § 1, 1995).

**1.24.015 Rule 2: Powers and duties of the chair.** The chair of the council has the following powers and duties:

A. The chair shall:

1. Call the council to order at the hour appointed for meeting and, if a quorum is present, shall cause the minutes of the previous meeting to be approved;

2. Proceed with the order of business; and

3. Adjourn the council upon a motion to adjourn approved by a majority of members present;

B. The chair shall preserve order and decorum and in the interest of efficiency may impose time and subject matter limits for testimony and comment given by the public and members of the council;

C. The chair shall promote efficient operation of the council, which shall include setting the agenda and expediting parliamentary debate or, if there is no objection from any other member, expediting the passage of routine motions. The chair's act of adding to, removing from or taking out of order an item on a distributed and posted agenda may be appealed to the full body by any two members under Rule 5C, K.C.C. 1.24.045C. The chair shall discourage activities that are dilatory or disruptive. The chair shall endeavor to facilitate the will of the majority of members present at all times;

D. The chair may speak to points of order, inquiry or information in preference to other members. The chair shall decide all questions of order subject to an appeal to the council by a member, on which appeal a member may not speak more than once without leave of the council;

E. Upon a ruling of the chair on a point of order, the chair shall allow any three members to immediately request that the decision be placed before the body. If a majority of members present agree to the ruling of the chair, the business of the council must proceed without further debate. If a majority of the members present do not support the ruling of the chair, the chair shall immediately allow a procedural

motion to dispense with the issue in question, proceeding until a decision of the council is secured and the business of the council is allowed to proceed;

F. The chair shall refer legislation to committees unless there is an objection to a referral. If there is an objection, the referral must be made in accordance with the decision of a majority of the members present. Any motion that proposes to censure a councilmember for violating the council's antiharassment policy shall be referred to the employment committee;

G. The chair shall introduce all legislation relating to land use appeals, road vacations, plat applications, current use assessments and other similar land use decisions. If recommended by action of the employment committee, the chair shall introduce any motion that proposes to censure a councilmember for violating the council's antiharassment policy, unless the chair is the subject of the motion; and

H. The chair shall preside over the committee-of-the-whole. (Ord. 14246 § 1, 2001: Ord. 13982 § 2, 2000: Ord. 13026 § 2, 1998: Ord. 12870 § 1, 1997: Ord. 11683 § 2, 1995).

**1.24.025 Rule 3: Powers and duties of the vice-chair – acting chair in absence of chair and vice-chair.**

A. The vice-chair shall exercise the duties, powers and prerogatives of the council chair in the event of the chair's absence.

B. If the chair and the vice-chair are both absent at a meeting of the council, the budget and fiscal management committee chair shall preside as acting chair.

C. If recommended by action of the employment committee, and the chair is the subject of a motion that proposes to censure a councilmember for violating the council's antiharassment policy the vice-chair shall introduce the motion. (Ord. 14246 § 2, 2001: Ord. 13982 § 3, 2000: Ord. 13026 § 3, 1998: Ord. 12870 § 2, 1997: Ord. 11683 § 3, 1995).

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**1.24.035 Rule 4: Meetings.**

A. The time of regular meetings of the council is one-thirty p.m. on Monday of each week, or Tuesday if Monday is a state or county holiday, unless otherwise ordered by the chair or a majority of the council.

All sessions of the King County council, except as otherwise ordered by the chair or a majority of the council and except meetings of the committees, must be held at the county seat.

B. The time for regular committee meetings must be set by the chair of the council or by motion. The committee chair shall set the place of committee meetings.

C. The proceedings of all council and committee meetings must be taken by tape recorder. The tapes of the meetings must be retained in the office of the clerk of the council for five years, after which the tapes must be transferred to the division of records and elections, which shall retain the tapes.

D. Council and committee meetings must be held in accordance with the Open Public Meetings Act of 1971, chapter 42.30 RCW.

E.1. An executive session may be held during a council or committee meeting if one of the specific grounds under chapter 42.30 RCW for an executive session exists. The grounds include:

a. consideration of the selection of a site or the acquisition of real estate when public knowledge of the consideration would cause a likelihood of increased price;

b. receipt and evaluation of complaints and charges against a public officer or employee, or review of the performance of a public employee;

c. evaluation of the qualifications of an applicant for public employment, or of a candidate for appointment to elective office; and

d. Discussion with legal counsel regarding litigation or potential litigation when public knowledge of the discussion is likely to result in an adverse legal or financial consequence to the agency.

2. Before convening in executive session, the chair of the council or committee shall publicly announce the purpose for excluding the public from the meeting place and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the chair.

3. Only members of the council or committee, special invitees and those employees or staff members the council or committee determines to be necessary are allowed to remain in the room. Persons attending an executive session shall maintain the confidentiality of the proceedings. (Ord. 13982 § 4, 2000: Ord. 12111 § 1, 1996: Ord. 12098 § 4, 1995: Ord. 11683 § 4, 1995).



#### **1.24.045 Rule 5: Agenda.**

A. Council business must be disposed of in the following order, or in an order the chair deems appropriate, subject to appeal as provided in Rule 5C, K.C.C. 1.24.045C:

1. Roll call;
2. Flag salute and Pledge of Allegiance, the leading of which must be offered by a member of the council and which must rotate among all members of the council;
3. Approval of minutes;
4. Reports from members serving on special and outside committees;
5. Plat tracings;
6. Special items;
7. Hearings and second reading of ordinances from standing committees and regional committees;
8. Introduction of and action on emergency ordinances;
9. Motions, from standing committees and regional committees, for council action;
10. Introduction of and action on motions;
11. Consent agenda on reappointments to boards and commissions;
12. Consent agenda on reports and recommended actions from employment committee;
13. Other reports and recommended actions from the employment committee;
14. Consent agenda on hearing examiner recommendations;
15. Introduction of ordinances for first reading and referrals;
16. Introduction of motions and referrals;
17. Extra items;
18. Messages from the county executive and other county officials, the judiciary, the regional committees and other agencies;

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19. Other business; and
20. Adjournment.

B. Legislation or other items for placement on the council meeting agenda must be submitted to the clerk of the council by 10:00 a.m. Thursday of the week before the next scheduled meeting, except that:

1. If directed by the chair, the clerk may place an item on the council agenda with a note that the item is contingent on being voted out of committee before the council meeting;
2. Legislation or other items for referral to committee may be added at committee-of-the-whole or regularly scheduled council meetings at the discretion of the chair of the council; and
3. Legislation or other items needing action by the full council may be added at the discretion of the chair of the council at committee-of-the-whole or regularly scheduled council meetings. The chair shall apply the following criteria for the additions:
  - a. the legislation is particularly time-sensitive and delay in action either:
    - (1) might impair the effectiveness of the county's responses to emergencies such as natural or human-made disasters, or other circumstances seriously affecting the public health, safety or welfare or the support of county government and its existing public institutions; or
    - (2) might impair timely performance under deadlines of a statute, ordinance, contract, interlocal agreement, real property instrument or other provision requiring immediate action;
  - b. legislation should be delivered to the chair and the clerk before the beginning of the committee-of-the-whole meeting. An original and twenty copies should be provided to the clerk, together with an introduction slip from the sponsor; and
  - c. the sponsor should provide a brief written description to the chair of the reason for the need to expedite the legislation without regular committee review.

C. The chair shall notify the members present of proposed changes to the agenda. If two members object to a change, a majority of the members present shall decide whether to change the agenda. (Ord. 14336 § 1, 2002: Ord. 14284 § 1, 2002: Ord. 13982 § 5, 2000: Ord. 12870 § 3, 1997: Ord. 12111 § 2, 1996: Ord. 11683 § 5, 1995).

#### **1.24.055 Rule 6: Standing committees.** The standing committees shall operate as follows:

A. A majority of a committee constitutes a quorum except for a committee with an even number of members, in which case one half of the committee constitutes a quorum. A committee is considered to have

a quorum present unless the question is raised by a member of the committee. If a member objects to proceeding because of the lack of a quorum, the committee may not conduct official business, except to conduct a hearing. The appointment or use of alternate members is not allowed for a standing committee.

B. During its consideration of a vote on legislation, the deliberations of a committee must be open to the public.

C. A vote to report legislation out of committee must be taken by the "ayes" and "nos," with the committee clerk recording the names of the members voting for and against, as well as the names of the members absent. On any matter, including but not limited to an amendment, a vote must be taken by oral roll call if requested by a member of the committee. A standing committee may not vote by secret ballot on an issue. Except for a regional committee, legislation may be reported out of committee by less than a quorum of the committee, subject to signature by a majority of the members of the committee, unless a member present request a vote on the recommendation by a quorum of the committee. If a member so requests, the legislation may not be reported out of the committee at that meeting without an affirmative vote by a majority of the quorum of the committee. Legislation reported out of committee subject to signature by a majority of the members of the committee is not effective unless signed by a majority of the committee and delivered to the clerk by the close of the second business day after the committee action. A vote in a committee must be recorded and the vote must be preserved as prescribed by the clerk of the council.

D. With the exception of legislation referred to committee-of-the-whole, legislation reported to the council from a standing committee must have a majority recommendation report, which must be prepared upon a printed standing committee report form and must be signed by a majority of the committee with one of the following recommendations:

1. Do pass;
2. Do pass -- consent;
3. Do pass substitute;
4. Do pass substitute -- consent;
5. Do not pass;

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6. Postpone indefinitely;
7. Pass out of committee with no recommendation; or
8. Refer to another committee.

E. The rules and procedures contained in this chapter must be observed, when applicable, in all proceedings of a standing or special committee of the council.

F. The chair of the committee shall set the agenda for the committee, including whether and when to include on a specific agenda for action proposed legislation referred to the committee by the council chair. A change to the last distributed and posted agenda made at a meeting must be announced by the chair and is subject to appeal to the full committee present by any two members of the committee. A majority of the members present shall decide an appeal under this subsection.

G. Notice of a special meeting must be made in compliance with the Open Public Meetings Act of 1971, chapter 42.30 RCW. The committee chair may call up to six special meetings per calendar year. An additional special meeting may be called only upon the request of the chair and the written consent of either the vice-chair of the committee or the chair of the council before the meeting. A special meeting may be called only when:

1. There is time-sensitive legislation or information that cannot be presented and considered in the ordinary committee meeting schedule;
2. A joint meeting of two or more committees is necessary to consider a matter; or
3. An unusual and extreme workload of a committee does not allow its full consideration during the ordinary committee meeting schedule.

H. A committee may not recess a meeting for longer than eight hours unless consent is given consistent with Rule 6G, K.C.C. 1.24.055G. Such a recess constitutes a special meeting solely for the purpose of counting the six discretionary special meetings provided for in this rule. If recess is until the next day but less than twenty-four hours, then the maximum possible notice must be given. If recess is for greater than twenty-four hours, then at least twenty-four hours' notice must be given. (Ord. 14284 § 2, 2002: Ord. 13982 § 6, 2000: Ord. 13411 § 1, 1999: Ord. 12870 § 4, 1997: Ord. 11683 § 6, 1995).

#### **1.24.065 Rule 7: Regional committees.**

A. Establishment. Three regional, standing committees are established as provided under the King County Charter to develop, recommend and review regional policies and plans for consideration by the council: the regional transit committee, the regional water quality committee and the regional policies committee.

B. Membership.

1. Composition of committees.

a. The regional policies committee and regional transit committee are to each have twelve voting members. Six members of each committee, including the chair of each, must be county councilmembers appointed by the chair of the council and must include councilmembers from districts with unincorporated residents. The chair of the county council shall also appoint the chair and vice-chair of each committee. The remaining members of each committee must be local elected city officials appointed from and in proportion to the relative populations of the city of Seattle and the other cities and towns in the county. Cities and towns other than the city of Seattle may appoint two persons for each of their allocated memberships in each committee, each person with one-half vote.

b. The regional water quality committee is to have twelve voting members. Six members of the committee, including the chair, must be county councilmembers appointed by the chair of the council, and must include councilmembers from districts with unincorporated residents. The chair of the county council shall also appoint the chair and vice-chair of the committee. The remaining members of the committee must be local elected city officials appointed from and in proportion to the relative populations of the city of Seattle and the other cities and towns in the county, and two members from special purpose districts providing sewer service in King County. Cities and towns other than the city of Seattle may appoint two persons for each of their allocated memberships, each person with one-half vote.

2. Alternating memberships. Each appointing authority may alternate members in accordance with the procedures established by the authority. The appointments must be announced at the beginning of each regional committee meeting to the committee chair or vice-chair and committee secretary by a person authorized by the appointing authority. Each appointing authority shall identify those members to receive mailings and notices of meetings.

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C. Quorum, notice and voting. Members representing six and one-half votes constitute a quorum of a regional committee. In the absence of a quorum, the committee may perform all committee functions except for voting on legislation. Notice of all regular and special meetings must be provided as specified in the Open Public Meetings Act of 1971, chapter 42.30 RCW, and notice must be given to members of the committees, including members who at any time during the calendar year have served on the committee or have been designated by their appointing authority to receive notice. All recommendations of a regional committee must be approved by a majority of the members present and voting and must consist of at least three and one-half affirmative votes. All recommendations must be signed only by members who were present and voting on the matter and be made on a committee report form supplied by the council. There may not be voting by proxy.

D.1.a. Referral to the regional transit committee. The chair of the council shall refer to the regional transit committee countywide policies and plans related to the transit services formerly provided by the municipality of metropolitan Seattle. If a standing committee of the council is considering an issue that, upon the standing committee's subsequent review, the standing committee believes should be considered as a countywide policy or plan related to transit, then the standing committee shall so inform the chair of the council. The chair of the council may then determine whether the policy or plan is to be referred to a regional committee.

b. Referral to the regional water quality committee. The chair of the council shall refer to the regional water quality committee countywide policies and plans related to the water quality services formerly provided by the municipality of metropolitan Seattle. If a standing committee of the council is considering an issue that, upon the standing committee's subsequent review, the standing committee believes should be considered as a countywide policy or plan related to water quality, then the standing committee shall so inform the chair of the council. The chair of the council may then determine whether the policy or plan is to be referred to a regional committee.

2. Regional policies committee work program. The regional policies committee shall establish its subject matter through a work program adopted by ordinance by the council. Once the work program is

adopted, all regional policies and plans related to the subject matter must be referred to the committee by the council.

3. Provisions applicable to referrals by chair and rereferrals. Referrals by the chair or rereferrals are subject to the procedures, rights and constraints of K.C.C. 1.24.125, 1.24.165 and 1.24.255.

4. Proposals and recommendations. If a regional committee develops a proposed countywide policy or plan, or amendment or repeal of a policy or plan, and adopts a recommendation with respect to the policy, plan, amendment or repeal, a county councilmember may introduce the appropriate legislation to adopt the recommended policy or plan.

E. Time for review -- committees. A regional committee shall review legislation referred to it within one hundred twenty days of the legislation's referral. However, the committee may request, and the county council may grant by motion, additional time for review. If the committee fails to act upon the proposed policy or plan within the established time limit, the county council may adopt the proposed policy or plan upon eight affirmative votes.

F. Time for review – council. The council shall amend, adopt or defeat the legislation referred to a regional committee within ninety days after receipt of an initial regional committee recommendation. However, upon receipt of the council chair's written request for an extension of the time limit, the committee may approve the request in writing by a majority vote at a special meeting or the next regular meeting of the committee.

G. Adoption.

1. A proposed policy or plan recommended by a regional committee may be adopted, without amendment, by the county council by seven affirmative votes.

2. A proposed policy or plan that differs from the policy or plan recommended by a regional committee may be adopted by the county council by eight affirmative votes after the regional committee has had the opportunity to review all county council amendments.

H. Amendments and rereferral.

1. If the county council votes before the final passage to amend a proposed policy or plan that has been reviewed or recommended by a regional committee, the proposed policy or plan, as amended, must be referred to the appropriate regional committee for further review and recommendation.

2. The timeline for the committee's review after rereferral may not be greater than sixty days. However, the committee may request, and the county council may grant by motion, additional time for review. The committee may concur in, dissent from or recommend additional amendments to the policy or plan.

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3. The council shall amend, adopt or defeat the legislation within sixty days after receipt of a regional committee recommendation following rereferral by the council.

I. Regional committee consideration of other regional issues. The chair of the council may request that one or more regional committees examine and comment upon other pending issues that are not countywide policies or plans but would benefit from interjurisdictional discussion. The issues may include, but are not limited to, operational, organizational or implementation measures for countywide plans and policies. This type of regional committee analysis and comment is not subject to the mandatory procedural requirements of Section 270.30 of the King County Charter and the county council may need to act on such issues before comment from the regional committee.

J. The regional committee is governed by the King County Charter, the King County Code and, except to the extent expressly provided otherwise, the rules and procedures established for standing and special committees in this chapter.

K. Role of regional committees.

1. A regional committee shall focus on planning and policy setting in program areas where it has been determined that regional service or facility planning is required and in area where it is agreed the opportunity and need for the planning exist. A regional committee is not responsible for routine review and recommendation on operational and administrative matters such as contracts, budgets, appropriations, and fares and rates, formerly performed by the council of metropolitan Seattle. A regional committee may, however, deal with policies to develop fares and rates within the committee's subject matter area.

2. The regional transit committee shall develop, review and recommend countywide policies and plans related to the transportation services formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, the long-range transit system and capital improvement plans, service design, development and allocation policies, financial

policies, fare policies, facility siting policy and major facilities siting process, and review and comment upon Regional Transit Authority plans.

3. The regional water quality committee shall develop, review and recommend countywide policies and plans related to the water pollution control functions formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, water quality comprehensive and long-range capital improvement plans, service area and extension policies, rate policies, and the facility siting policy and major facilities siting process.

4. The regional policies committee shall review and recommend regional policies and plans, other than transit and water quality plans, that are within the subject matter area for the committee. Also, the committee may develop proposed policies and plans on issues of countywide significance but, unless referred to the committee by the county council, the policies and plans are not subject to the procedural requirements of Section 270.30 of the King County Charter. Issues that may be referred to the committee or be the subject of the committee's policy development include, but are not limited to, public health, human services, open space, housing, solid waste management, regional services financial policies, criminal justice, jails and district court services, and regional facilities siting. In addition, the regional policies committee may consider major regional governance transition and consolidation issues, particularly those involving potential changes in organization and responsibilities with other county, city or regional organizations.

L. To assist each regional committee in evaluating countywide policies and plans, the committee may conduct public meetings and hearings and request briefings and other information from citizens, county, state and local agencies, business entities and other organizations. (Ord. 13982 § 7, 2000: Ord. 13239 § 1, 1998: Ord. 11683 § 7, 1995).

**1.24.075 Rule 8: Indication of new and deleted matter in ordinances – copies of official communications and request for councilmembers.**

A. Matter added to an existing ordinance must be indicated by underlining the matter. Matter deleted from an existing ordinance must be indicated by lining out the matter with a solid line and enclosing the lined-out matter within double parentheses. An ordinance may not be presented to or acted upon by the council until this rule is followed.

B. Entirely new sections of ordinances that are to be codified may not be underlined but must be designated "NEW SECTION."

C. The chair shall provide copies to all councilmembers of all official communications and requests for council action from the executive, the sheriff, the assessor, the presiding judge or the prosecuting attorney addressed to the chair. (Ord. 13982 § 8, 2000: Ord. 11683 § 8, 1995).

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**1.24.085 Rule 9: Introduction and initial consideration of proposed legislation.**

A. Upon receipt of proposed legislation from the executive, the sheriff, the assessor, the presiding judge, the prosecuting attorney or a councilmember, the clerk of the council shall assign a proposed number to the legislation. The clerk may make formatting and nonsubstantive revisions in form and style to proposed legislation before first reading and shall indicate on the revised legislation that the legislation is revised by the clerk and the date of the revision.

B. Upon signature of at least one member of the council and filing with the clerk of the council, or upon receipt by the council of a proposed ordinance submitted as an institutional initiative under Section 230.50.10 of the King County Charter, the proposed legislation is introduced and must be placed on the agenda for first reading. Legislation may be introduced with the title only, but the legislation must be filed with the clerk by first reading. The chair of the council shall refer both the title and the subsequently filed legislation to committee if the legislation was introduced with the title only. If the legislation is not timely filed, the legislation is to be removed from the agenda and is not to be referred to committee.

C. A member may add his or her name to sponsorship of legislation at any time before passage of the legislation by informing the clerk of the council in writing. The first member listed on the first introduction slip filed for legislation may not remove his or her name from sponsorship of the legislation. However, any other sponsor of legislation may remove his or her own name from sponsorship of the legislation by informing the clerk of the council in writing.

D. First reading of legislation shall consist of either:

1. Printing the number and title of the proposed legislation on the published agenda; or
2. Adding the proposed legislation to the agenda under Rule 5, K.C.C. 1.24.045B.2 or 3 and including this information in the council's minutes.

E. After the first reading, proposed legislation must be referred to an appropriate committee or committees by the chair of the council, except for motions confirming executive reappointments to boards or commissions, which may be referred directly to the council consent agenda. Proposed legislation referred to more than one committee must be considered consecutively by the committees in the order set forth on the marked published agenda or as specified by the chair during the meeting and reflected in the council's minutes.

F. Upon being reported out of committee with a recommendation signed by a majority of the committee, proposed legislation must be placed upon an agenda after consideration of public hearing notice requirements for appropriate action. The clerk of the council may make formatting and nonsubstantive revisions in form to proposed legislation after the legislation is reported out of the committee and before the legislation is placed on the agenda for second reading and shall indicate on the revised legislation that the legislation is revised by the clerk and the date of the revision. (Ord. 14336 § 2, 2002: Ord. 13982 § 9, 2000: Ord. 12870 § 5, 1997: Ord. 11683 § 9, 1995).

**1.24.095 Rule 10: Public hearing and second reading.** At least seven days must elapse after first reading of a proposed ordinance, other than an emergency ordinance, before the council may conduct a public hearing on the proposed ordinance. This rule may be temporarily suspended for a special purpose by a vote of two-thirds of the members elected. The council must conduct a public hearing before adopting an ordinance. Public testimony at the hearing must be germane to the proposed ordinance and must be made in such a manner as to comply with the requirements imposed by the chair under Rule 2B, K.C.C. 1.24.015B. The chair shall liberally construe this rule as it relates to public testimony. (Ord. 13982 § 10, 2000: Ord. 11907 § 1, 1995: Ord. 11683 § 10, 1995).

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**1.24.105 Rule 11: Notice – public hearing on proposed ordinance.** Notice for a public hearing on a proposed ordinance must set forth the title of the proposed ordinance and the date, hour and place of hearing. Notice is accomplished by posting notice outside the council chambers, and by such other means required by law. Notice made under this rule constitutes due notice as required in Section 230.10 of the King County Charter. (Ord. 13982 § 11, 2000: Ord. 11683 § 11, 1995).

**1.24.115 Rule 12: Notice – police and sanitary regulations.**

A. Unless otherwise provided for by state law, an ordinance that establishes a police or sanitary regulation may not be passed unless a public hearing, of which at least ten days' notice has been given, has been held on the ordinance by the council. The notice must be published in the official county newspaper. The notice must also be posted in conformance with Rule 11, K.C.C. 1.24.105.

B. The notice must:

1. Set out a copy of the proposed ordinance;
2. Summarize the content of each proposed ordinance, succinctly describing the main points of each section and stating that the full text of the proposed ordinance will be mailed upon request without charge. However, a penalty section of an ordinance or a section containing a provision regarding taxation or containing a legal description must be published in full; or

3. If a code is adopted by reference, set forth the full official title and a statement describing the general purposes of the code. (Ord. 13982 § 12, 2000: Ord. 11683 § 12, 1995).

**1.24.125 Rule 13: Recalling legislation from committees.** A standing committee of the council may be relieved of further consideration of proposed legislation, regardless of prior action by the committee, by seven members of the council. The council may then by the required majority vote make the orderly disposition of the proposed legislation including, if appropriate, final passage or setting a public hearing on the matter. (Ord. 13982 § 13, 2000: Ord. 12870 § 6, 1997: Ord. 11683 § 13, 1995).

**1.24.135 Rule 14: Adoption by consent.**

A. A consent agenda may be established by the chair of the council. A proposed ordinance may be placed on the consent agenda if a committee or council hearing was previously held on the measure and if a council member does not object to the placement. If a member objects to the placement of a proposed ordinance on the consent agenda, the proposed ordinance must be removed from the consent agenda. A proposed motion may be placed on the consent agenda upon recommendation by the committee. Proposed legislation on the consent agenda is not subject to amendment except as recommended in the committee report. All items on the consent agenda may be adopted in one motion by oral roll call vote.

B. Employment committee recommendations shall be contained in a written recommendation report that shall be sent to the full council in the manner set forth in the council's organizational motion. The council shall consider the recommendation reports from the committee on an employment committee consent agenda. However, in the event the employment committee forwards two recommendations to the council on the same matter, the two recommendations shall be considered separately from the consent agenda. Upon the request of any member present before the full council, any specific recommendation from the employment committee shall be removed from the consent agenda and considered separately by the council after adoption of the employment consent agenda.

C. A consent agenda on hearing examiner recommendations may be established by the chair of the council. A hearing examiner recommendation may be placed on the agenda on hearing examiner recommendations if a hearing was previously held on the measure and if a council member does not object to the placement. If a member objects to the placement of a hearing examiner recommendation on the consent agenda on hearing examiner recommendations, the recommendation must be removed from the consent agenda on hearing examiner recommendations. All items on the consent agenda on hearing examiner recommendations may be adopted in one motion by oral roll call vote.

D. A consent agenda on motions confirming reappointments to boards and commissions may be established by the chair of the council. If a member objects to the placement of a confirmation motion on the consent agenda, the motion must be removed from the consent agenda and considered separately before adoption of the confirmation consent agenda. Confirmation motions referred to the consent agenda may be adopted in one motion by oral roll call vote. (Ord. 14336 § 3, 2002: Ord. 14284 § 3, 2002: Ord. 13982 § 14, 2000: Ord. 11683 § 14, 1995).

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1.24.145 - 1.24.155

**1.24.145 Rule 15: Quorum and voting.**

A. The requirements for a quorum of a standing committee are prescribed in Rule 6A, K.C.C. 1.24.055A. The requirements for a quorum of a regional committee are prescribed in Rule 7, K.C.C. 1.24.065.

B. Seven members constitute a quorum of the county council. If there is a lack of a quorum, the chair shall request the clerk of the council to call members so as to constitute a quorum. Unless otherwise required by the King County Charter, a vote of the majority of those present is necessary for the conduct of council business.

C. There may not be voting by proxy on a question before the council. A member who is in the council chambers when the question is put shall vote unless excused by the council for special reasons. A motion to excuse a member must be made before the call for "ayes" and "nos" is commenced.

D. A vote before the council must be recorded as to the "ayes" and "nos." Upon the final passage of legislation before the council, the vote must be taken by oral roll call. On any other matter, the vote must be taken by oral roll call if requested by at least three members. When once begun, the roll call may not be interrupted. The order of names on the roll call must be alphabetical by last name except for the chair, who votes last when the "ayes" and "nos" are called. (Ord. 13982 § 15, 2000: Ord. 11683 § 15, 1995).

**1.24.155 Rule 16: Amendments.** A member may offer amendments to proposed legislation for consideration by the council or a standing committee, in accordance with the following:

A. The clerk of the council shall establish the proper form for an amendment. Except as provided in subsection F of this rule, an amendment must:

1. Be in writing;
2. Bear the name of the member who offers it as well as the page and line number of the proposed legislation to be amended; and
3. Be distributed to each member.

B. An amendment to proposed legislation may not change the scope and object of the proposed legislation. An amendment must be germane and must embrace the single subject contained within the proposed legislation.

C. Legislation or a section of legislation may not be revised or amended unless the new legislation sets forth the revised legislation or the amended section at full length.

D.1. For the purposes of this subsection D, "line amendment" means an amendment that either adds or deletes, or both, material in a specified portion of legislation, and "striking amendment" means an amendment that deletes the entire text of legislation and inserts new language.

2. Line amendments should be considered section by section with perfecting amendments considered first.

3. If a striking amendment is moved, all line amendments to the striking amendment must be approved or rejected before the striking amendment is approved or rejected.

4. Only one amendment and one amendment to the amendment are permitted at a time, but any number of each may be offered in succession if a question already decided is not raised again.

5. Title amendments must be considered after the amendments to the main text of the proposed legislation.

E.1. Substitute legislation may only come before the council after consideration by a standing committee. A member may demand a vote on the question of whether the committee substitute is to be substituted for the original proposed legislation. A substitute ordinance must be within the scope and object of the original proposed ordinance.

2. A member may offer proposed substitute legislation for a standing committee's consideration, but a member may demand a vote on the question of whether the standing committee is to consider the original legislation rather than the proposed substitute legislation. A proposed substitute ordinance must be within the scope and object of the original proposed ordinance.

F. In accordance with Rule 14A, K.C.C. 1.24.135A, proposed legislation on the consent agenda is not subject to amendment except as recommended in the committee report.

G. To promote efficiency, the council chair, or the chair of a standing committee at the committee's meeting, may accept for consideration an oral amendment that is easily understood. (Ord. 13982 § 16, 2000: Ord. 11683 § 16, 1995).

1.24.165

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**1.24.165 Rule 17: Parliamentary motions – suspension of rules.** Rules relating to parliamentary motions are as follows:

A. Parliamentary motions in order during debate. When a motion has been made and stated by the council chair, the following motions are in order in the priority named:

1. Privileged motions
  - a. adjourn;
  - b. appeal of a ruling of the chair;
  - c. adjourn to a time certain;
  - d. recess to a time certain;
  - e. reconsider;
  - f. demand for division;
  - g. question of privilege; and
  - h. orders of the day;
2. Subsidiary motions:
  - a. first rank: question of consideration;
  - b. second rank: to lay on the table;
  - c. third rank: for the previous question;
  - d. fourth rank:



- (1) to postpone to a day certain;
- (2) to commit or recommit (to refer or rerefer); and
- (3) to postpone indefinitely; and
- e. fifth rank: to amend; and

3. In addition, the following incidental motions may take priority over a privileged or subsidiary motion, depending on the circumstances under which they are moved and the application to the main motion:

- a. points of order;
- b. methods of consideration;
- c. suspension of the rules;
- d. reading papers;
- e. withdraw a motion; and
- f. division of a question.

B. Motions - how presented. A motion may not be entertained or debated until announced by the chair of the council. The chair shall place the motion before the council for consideration if appropriate and recognize the mover of the motion for further remarks.

C. Effect of postponement - motions to postpone or commit. A motion to postpone to a day certain, to commit or to postpone indefinitely, once decided, may not again be allowed on the same day and at the same stage of the proceedings. When a question has been postponed indefinitely, the question may not again be brought before the council during the remainder of the calendar year. The motion to postpone indefinitely may be made at any stage of consideration of the proposed legislation except when on first reading.

D. Motions decided without debate.

1. A motion to adjourn, to recess, to lay on the table or to call for the previous question must be decided without debate.

The motion to lay on the table enables the council to lay the pending question aside temporarily when something else of immediate urgency has arisen. The motion to lay on the table is out of order if the evident intent is to kill or avoid dealing with legislation. A motion to lay an amendment on the table does not lay on the table the legislation being amended.

2. An incidental motion must be decided without debate, except that members may speak to points of order and appeal as provided in Rule 26, K.C.C. 1.24.255.

3. Except for rules requiring a vote of two-thirds of all elected members, a rule may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called and, after notice from the chair, an objection is not offered, the chair may announce the rule suspended and the council may proceed accordingly. A motion for suspension of the rules is not debatable except that the chair may allow: the maker of the motion to briefly explain the purpose of the motion; and a rebuttal.

4. A member may object to the consideration of any question, including an amendment. A two-thirds vote of those members present against consideration is required to sustain the objection. (Ord 13982 § 17, 2000: Ord. 12870 § 7, 1997: Ord. 11907 § 2, 1995: Ord. 11683 § 17, 1995).

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## COUNCIL RULES AND ORDER OF BUSINESS

1.24.175 - 1.24.195

**1.24.175 Rule 18: Rules of debate.** The rules for debate for the council are as follows:

A. A member may rise to a question of privilege and explain a personal matter, by leave of the chair, but the member may not discuss a pending question in the explanation.

B. After a motion is stated by the chair or proposed legislation is read by the clerk, the motion or legislation is in possession of the council. However, the motion or legislation may be withdrawn by consent of the council before decision or amendment.

C. A member may call for a division of a question, which must be divided if the question embraces subjects so distinct that one being taken away a substantive proposition remains for decision of the council. However, a motion to strike out and insert, if it is impossible to secure the desired result without making the act of striking out inseparable from that of inserting, may not be divided.

D. All questions, whether in committee or in the council, must be taken in the order in which they are named.

E. A member shall confine all remarks to the question under debate and avoid personalities. A member may not impugn the motive of a member's vote or argument. (Ord. 13982 § 18, 2000: Ord. 11683 § 18, 1995).

**1.24.185 Rule 19: Ending of debate – previous question.**

- A. The previous question may be ordered on all recognized motions or amendments which are debatable by a two-thirds vote of the members present.
- B. The previous question is not debatable and cannot be amended.
- C. The results of the motion are as follows:
  - 1. If determined in the negative, the consideration goes on as if the motion had never made;
  - 2. If decided in the affirmative it shall have the effect of cutting off all debate and bringing the council to a direct vote upon the motion or amendment on which it has been ordered; provided, that when proposed legislation is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the proposed legislation or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.
  - 3. If adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the council immediately following the approval of the minutes at the next meeting, thus making the main question privileged over all other business, whether new or unfinished. (Ord. 13982 § 19, 2000: Ord. 11683 § 19, 1995).

**1.24.195 Rule 20: Final passage of legislation.**

- A.1. Except as otherwise provided in this rule, seven affirmative votes are required to adopt an ordinance.
- 2. Eight affirmative votes are required to adopt an ordinance dealing with countywide policies and plans referred to a regional committee as required by the King County Charter when:
  - a. the regional committee fails to act within the established time limit; or
  - b. the ordinance adopted by the council differs from the regional committee recommendation.
- 3. Nine affirmative votes are required to:
  - a. enact an emergency ordinance; or
  - b. override a veto as provided in Rule 22, K.C.C. 1.24.215.
- B.1. A majority vote of the members present at a council meeting is required to approve a motion, except as provided in subsection B.2 of this rule.
- 2. Eight affirmative votes are required to adopt a motion dealing with countywide policies and plans referred to a regional committee as required by the King County Charter when:
  - a. the regional committee fails to act within the established time limit; or
  - b. the motion adopted by the council differs from the regional committee recommendation. (Ord. 13982 § 20, 2000: Ord. 11683 § 20, 1995).

1.24.205 - 1.24.255

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**1.24.205 Rule 21: Reconsideration.**

- A. A motion for reconsideration on the final passage of legislation must be made during the meeting at which the vote on final passage is taken. A vote for reconsideration on the final passage of legislation must be taken at the same meeting the vote was taken, but the council may postpone the vote for reconsideration until the next council meeting. While the question of reconsideration is pending, legislation is not passed. The clerk of the council may not transmit an ordinance to the county executive until the question of reconsideration is decided.
- B. A motion to reconsider an amendment may only be made before the ordinance is passed.
- C. Only a member who voted on the prevailing side may move for reconsideration.
- D. A motion to reconsider may be decided only once if decided in the negative.
- E. If a motion to reconsider is carried, the original question is placed before the council in the exact position the original question occupied before the original question was voted upon.
- F. Reconsideration of an action under K.C.C. chapter 20.24 is governed by K.C.C. 20.24.250. (Ord. 13982 § 21, 2000: Ord. 11683 § 21, 1995).

**1.24.215 Rule 22: Executive veto.**

A. As provided in the King County Charter, the executive may not veto a motion, an emergency ordinance except for an appropriation ordinance, an ordinance proposing an amendment to the charter or an ordinance providing for collective bargaining by the county with county employees covered by the personnel system.

B. If the executive vetoes an ordinance or an object of expense of an appropriation ordinance, a copy of the executive's veto message, together with the proposed ordinance vetoed or partially vetoed, must be distributed to each member. Within thirty days after an ordinance is vetoed and returned or partially vetoed and returned, the council may override the veto by enacting the ordinance by a minimum of nine affirmative votes. Upon a member's request, the chair of the council shall place the question of override of the veto upon the agenda for the next council meeting after receipt of the request. A special council meeting may be called for the purpose of considering the override of the veto. Notice of the meeting must be given as required by state law. (Ord. 13982 § 22, 2000: Ord. 11683 § 22, 1995).

**1.24.225 Rule 23: Lapse and reintroduction of legislation.** Proposed legislation that is not acted upon before the end of the calendar year lapses if not introduced, reintroduced or passed or defeated on a vote on final passage at a council meeting by February 1 of the next year. Legislation is reintroduced by filing a reintroduction slip with the clerk of the council. Reintroduced legislation keeps the same number assigned to the legislation originally. (Ord. 13982 § 23, 2000: Ord. 11683 § 23, 1995).

**1.24.235 Rule 24: Public record of council meeting.**

A. The verbatim public record required by Section 220.40 of the King County Charter must be kept by means of electronic recording of matters occurring at the open sessions of public meetings of the county council.

B. The clerk of the council or of the committee shall produce minutes, in the form of proceedings, of a meeting according to state law. (Ord. 13982 § 24, 2000: Ord. 11683 § 24 1995).

**1.24.245 Rule 25: Copies of electronic recordings.** A person may obtain an electronic recording of a particular proceeding of the county council or a council committee by paying a fee for the reproduction of the proceedings. The clerk of the council shall set the amount of the fee, which must reflect the actual cost of reproduction. (Ord. 13982 § 25, 2000: Ord. 11683 § 25, 1995).

**1.24.255 Rule 26: Appeal from decision of chair.** A parliamentary decision of the chair may be appealed by a member. A member may not speak on the appeal more than once unless permitted by the council.

The chair's act of adding to, removing from or taking out of order an item on a distributed and posted agenda may be appealed to the full body by any two members under Rule 5C, K.C.C. 1.24.045C. (Ord. 13982 § 26, 2000: Ord. 11683 § 26, 1995).

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COUNCIL RULES AND ORDER OF BUSINESS

1.24.265 - 1.28.020

**1.24.265 Rule 27: Parliamentary rules.** The rules of parliamentary practice comprised in the 1990, 9th edition of the Scott, Foresman Robert's Rules of Order must be used as a guide to address procedural questions to the extent consistent with the standing rules in this chapter. (Ord. 13982 § 27, 2000: Ord. 11683 § 27, 1995).

**1.24.305 Rule 31: Legal signature.** An official document issued by order of the council must be signed by the chair or in his or her absence the vice-chair or acting chair as provided in Rule 3, K.C.C. 1.24.025, and attested by the clerk of the council or acting clerk of the council, except as otherwise provided by the King County Charter. (Ord. 13982 § 28, 2000: Ord. 11683 § 31, 1995).

**1.24.320 Rule 32: Organizational motions – compilation and amendment.** The clerk of the council shall compile and organize current motions organizing and administering the legislative branch as a single master document with separate sections. The council may amend an organizational motion by amending a section of the master document as compiled and organized. (Ord. 13982 § 29, 2000).

**Chapter 1.28**  
**COUNCIL BUSINESS DURING EMERGENCY**  
**OR DISASTER**

**Sections:**

- 1.28.010 Conduct of county business in event of emergency or disaster.
- 1.28.020 Continuity of government.

**1.28.010 Conduct of county business in event of emergency or disaster.** Whenever, due to an emergency or a disaster, it becomes imprudent, inexpedient or impossible to conduct the affairs of King County at the regular or usual place or places, the legislative body of King County may meet at any place within or without the territorial limits of King County on the call of the chairman or any two members of the King County council. After any emergency relocation, the affairs of the King County council shall be lawfully conducted at such emergency temporary location or locations for the duration of the emergency. (Ord. 7790 § 8, 1986: Ord. 1043 § 1, 1971).

**1.28.020 Continuity of government.** In the event that a disaster as defined in K.C.C. 12.52.010 reduces the number of councilmembers, then those councilmembers available and present for duty shall have full authority to act in all matters as the county council. Quorum requirements for the council shall be suspended for the period of the emergency, and where the affirmative vote of a specified proportion of the council is required for approval of an ordinance or other action, the same proportion of those councilmembers available shall be sufficient. As soon as practicable thereafter, the available councilmembers shall act in accordance with the charter and state law to fill existing vacancies on the council. (Ord. 12163 § 10, 1996.)

1.32.010 - 1.36.010

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**Chapter 1.32**  
**CONDUCT IN COUNCIL CHAMBERS**

**Sections:**

- 1.32.010 Smoking prohibited - Penalty.

**1.32.010 Smoking prohibited - Penalty.**

- A. Smoking in the council chambers shall be prohibited at all times.
- B. Any violation of this section is cause for expulsion from the council chambers. (Ord. 1372 §§ 1, 2, 1972).

**Chapter 1.36**  
**KING COUNTY FLAG**

**Sections:**

1.36.010 King County flag.

**1.36.010 King County flag.** The official King County flag shall consist of the county logo of a gold crown and encircling double gold rings on a rectangular green background. (Ord. 8227, 1987).

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